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# **JOURNALS**

OF

## **The American Congress:**

**From 1774 to 1788.**

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**IN FOUR VOLUMES.**

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**VOLUME II:**

***From January 1, 1777, to July 31, 1778, inclusive.***

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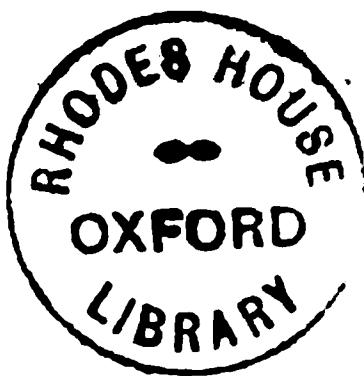
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**WASHINGTON:**

**PRINTED AND PUBLISHED BY WAY AND GIDEON.**

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**1823.**



# JOURNALS OF CONGRESS,

## 1777.

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WEDNESDAY, *January 1, 1777.*

*Resolved*, That 2000 dollars be advanced to the committee of secret correspondence; they to be accountable:

That 150 dollars be advanced to the board of war; they to be accountable.

Congress being informed that lieutenant-colonel Baylor, one of general Washington's aid-de-camps, who brought the despatches from general Washington, read yesterday, was at the door,

*Ordered*, That he be admitted.

Lieutenant-colonel Baylor being accordingly admitted, gave a particular account of the late action at Trenton, and withdrew.

*Resolved*, That a horse, properly caparisoned for service, be presented to lieutenant-colonel Baylor, and that he be recommended to general Washington to be appointed to the command of a regiment of light-horse; and that he rank with colonel Sheldon, lately appointed to the like command, saving to colonel Sheldon any preference which arises from the senior date of his commission.

*Resolved*, That 18 79 dollars be paid to colonel Walter Stewart, for his expenses in going to Peek-Kill with despatches for general Lee.

*Resolved*, That all the prisoners now in the town of Baltimore, be sent under a guard to Lancaster, in Pennsylvania, and there closely confined in the stockaded fort, erected for securing prisoners; and that it be earnestly recommended to the committee of inspection of Lancaster, not to permit any person to converse with them, except in the presence of the officer of the guard:

That the committee of inspection of Baltimore, be requested to send the prisoners under guard to Lancaster, and deliver them, with a copy of the above resolution, to the committee of that borough.

An intercepted letter from Patrick Tonyn, governor of East-Florida, to the right hon. lord George Germaine, dated St. Augustine, 19th July, 1776, being laid before Congress,

*Resolved*, That a letter be written to the president and council of the state of Georgia, by the president of Congress, enclosing a copy of the said intercepted letter, recommending to the said president and council, that they proceed immediately to apprehend and secure George Mackintosh, and take such other effectual measures, as they shall judge necessary, for the safety of the United States of America.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

THURSDAY, *January 2, 1777.*

A memorial from Thomas Irving, a prisoner of war now in Baltimore, was presented to Congress, and read, praying that he be set at liberty, or allowed to proceed on his return to Carolina, agreeable to a permission granted him by governor Trumbull:

*Resolved*, That the said Thomas Irving be permitted to proceed to South-Carolina, under his present parole, to be, when he arrives there, under the direction of governor Rutledge, or the executive power of that state.

The secret committee having informed Congress that the Lexington was arrived at the port of Baltimore, with a number of sailors (prisoners) and a French gentleman, who was come to offer his service to Congress,

*Resolved*, That the marine committee be directed to take into consideration the case of sailors taken prisoners, and report thereon to Congress :

That the French gentleman, arrived in the Lexington, be referred for examination to general Gates.

The board of war, to whom the memorial of colonel Antil was referred, brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That colonel Samuel Patterson, at Christiana bridge, be authorized to muster such companies of colonel Hazen's battalion as shall march by that place in their way to Philadelphia ; and to deliver to such companies as many arms as they may have occasion for :

That Mr. Robert Dill be appointed pay-master to colonel Hazen's battalion.

*Resolved*, That Mr. Sergeant and Mr. Wolcott be added to the marine committee, in the room of the members from New-Jersey and Connecticut, who are absent.

*Resolved*, That general Washington be directed to propose an exchange of the six Hessian field-officers, taken at Trenton, for general Lee.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, January 3, 1777.

A letter, of the 29th, from general Washington, at New-town ; and one, of the 30th and 31st December, from Messrs. Morris, Clymer and Walton, were read :

*Ordered*, That the latter be referred to the committee on the letter from Mr. Kennon ; and that two members be added to that committee, and that they meet, and proceed on the business, and report to Congress as soon as possible :

The members added, Mr. Sherman and Mr. Chase.

A letter, of this day, from major Ottendorf, was read, and referred to the board of war.

The delegates from Connecticut produced the credentials of their re-appointment, which were read as follows :

*"STATE OF CONNECTICUT. At a General Assembly of the Governor and Company of the State of Connecticut, in America, holden at New-Haven, on the 2d Thursday of October, anno Domini 1776.*

*Resolved* by this assembly, That Roger Sherman, Samuel Huntington, Eliphalet Dyer, Oliver Wolcott, Richard Law, and William Williams, esqrs. be, and they are hereby, appointed delegates to represent this state at the general Congress of the United States, in America, for the year ensuing : and, until new be chosen, any or either of them who shall be present in said Congress, are hereby fully authorized and empowered to represent this state in said Congress ; to consult, advise, and resolve upon measures necessary to be taken and pursued for the defence, security, and preservation of the rights and liberties of the said United States, and for their common safety. And of such their proceedings and resolves, they do transmit authentic copies, from time to time, to the general assembly of this state.

*"A true copy of record, examined by*

*"GEORGE WYLLYS, Secretary."*

*Resolved*, That general Washington be directed to propose and conclude with general Howe an agreement, whereby those who are or may be made prisoners by the enemy, may be supplied with provisions, and other necessities, at the expense, or on the credit, of the United States.

**Resolved**, That general Washington be desired to offer, in exchange, one of the Hessian field-officers, lately taken, for colonel Ethan Allen.

**Resolved**, That the treasurer be directed to pay to Joseph Trumbull, esq. commissary general, the sum of 300,000 dollars, by an order on such of the commissioners of the loan-offices in New-England, as shall be in cash at the time of the draught; the said commissary general to be accountable.

[*Note.*] The president drew an order in favor of colonel Trumbull,  
On the commissioner of Massachusetts-Bay, 150,000 dollars,  
On the commissioner of Connecticut, 150,000 dollars.

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300,000

Whereas Congress hath received information that the honorable Richard Stockton, esq. of New-Jersey, and a member of this Congress, hath been made a prisoner by the enemy, and that he hath been ignominiously thrown into a common gaol, and there detained;

**Resolved**, That general Washington be directed to make immediate enquiry into the truth of this report, and if he finds reason to believe it well founded, that he send a flag to general Howe, remonstrating against this departure from that humane procedure which has marked the conduct of these states to prisoners, who have fallen into their hands; and to know of general Howe, whether he chooses this shall be the future rule for treating all such, on both sides, as the fortune of war may place in the hands of either party.

**Resolved**, That Dr. Brownson and Dr. Elmer be added to the medical committee.

**Resolved**, That a committee of three be appointed to revise the articles of war, and report what additions and alterations ought, in their opinion, to be made therein:

The members elected, Mr. Heyward, Mr. F. L. Lee, and Mr. Clark.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, January 4, 1777.

**Ordered**, That the hearing and determining upon the appeal against the sentence on the libel, "John Craig, *versus* brig Richmond, &c." be referred to the committee appointed on the 27th of November last, to hear and determine an appeal; and that Mr. Sergeant and Mr. Ellery be added to the said committee, in the room of Mr. Wythe and Mr. Paine.

**Resolved**, That Benjamin Brannon be appointed a signer of the continental bills of credit.

The committee appointed to repair to the army, brought in a report, which was read, and referred to the medical committee.

**Resolved**, That Gerard Hopkins, son of Richard, be appointed a deputy quarter-master.

**Resolved**, That an auditor of accounts be appointed in the room of Thomas Smith, esq. who is appointed a commissioner of the loan-office for the state of Pennsylvania; and, the ballots being taken,

Samuel Downe, esq. was elected.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday next.

#### MONDAY, January 6, 1777.

A letter, of the 1st, from general Washington; one, of the 2d and 3d, from the committee of Congress, in Philadelphia; one, of the 1st, from W. Palfrey to Richard Peters, secretary at war; one, of the same date, from Mr. Palfrey to Congress; one, of the 31st of December, from Carpenter Whar-ton; one, of the 3d, from general Putnam, with a letter to him enclosed from

adjutant general Reed ; and one, of the 4th, from George Morgan, with sundry papers enclosed, were read :

*Ordered*, That the letters from Mr. Palfrey be referred to the board of treasury.

*Resolved*, That 70,000 dollars be advanced to Joseph Pennel, for the purpose of laying up magazines of provisions, and charged to the account of Carpenter Wharton ; and that Mr. Pennel be directed, in making the purchase, so to conduct himself, as not to bid upon others purchasing for the continent.

*Ordered*, That the letter from George Morgan, with the papers enclosed, be referred to a committee of three :

The members chosen, Mr. R. H. Lee, Mr. S. Adams, and Mr. Thornton, who are directed to confer with Mr. Morgan.

*Resolved*, That the committee on general Schuyler's letters be authorized to employ persons to contract with the owners of founderies for a sufficient quantity of cannon, for the fortresses at or near Ticonderoga.

*Resolved*, That the board of war be directed to send an express, to hasten the march of colonel Mackay's battalion, and the troops who have joined him, to Philadelphia, or to general Washington's army ; and also to send an express, to hasten up the light-horse from Virginia, desiring the commanding officer not to delay their march on account of any prisoners he may have with him ; but, leaving them in some secure place, to proceed with his troops, with all possible despatch, by forced marches, to join general Washington.

*Resolved*, That the president of the council of Massachusetts-Bay be desired to administer an oath to Samuel Downe, esq. one of the commissioners for adjusting the accounts of the army, under the command of general Washington, for the faithful discharge of his duty, and give him a certificate thereof.

Congress being informed that major-general Lee hath, since his captivity, been committed to the custody of the provost, instead of being enlarged on his parole, according to the humane practice that has taken place with officers of the enemy who have fallen into the hands of the American troops ; a treatment totally unworthy of that gentleman's eminent qualifications, and his rank in the service of these United States, and strongly indicative of farther injuries to his person :

*Resolved*, That general Washington be directed to send a flag to general Howe, and inform him, that, should the proffered exchange of general Lee for six Hessian field-officers not be accepted, and the treatment of him, as above mentioned, be continued, the principles of retaliation shall occasion five of the said Hessian field-officers, together with lieutenant-colonel Archibald Campbell, or any other officers that are, or shall be, in our possession, equivalent in number or quality, to be detained, in order that the same treatment which general Lee shall receive, may be exactly inflicted upon their persons.

*Ordered*, That a copy of the above resolution be transmitted to the council of Massachusetts-Bay, and that they be desired to detain lieutenant-colonel Campbell, and keep him in safe custody till the farther order of Congress ; and that a copy be also sent to the committee of Congress, in Philadelphia ; and that they be desired to have the prisoners, officers and privates, lately taken, properly secured in some safe place.

*Resolved*, That two months' pay be advanced to the seamen who will engage to serve on board the continental frigate Virginia, the same to be deducted out of their share of the prizes taken by the said frigate.

The medical committee brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

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**TUESDAY, January 7, 1777.**

A letter, of the 6th, from J. F. C. Lignet, was read, and referred to the medical committee.

A petition from Elizabeth Garvin was read, and referred to the delegates of Maryland.

*Resolved*, That the delegates of Maryland and Mr. Witherspoon be a committee to consider the case of the prisoners in Baltimore.

*Resolved*, That two months' pay be advanced to the men on board the Lexington, as a gratuity for their services, in rescuing from the enemy, and bringing in, the Lexington.

The committee of treasury reported, that there should be advanced to Mr. John Doughty, for his expenses in conveying loan-office certificates from Hartford to the several commissioners of the loan-offices in New-England, the sum of 106.60 dollars; he to be accountable:

That there should be advanced to Richard Dorsey and Larkin Dorsey, to purchase horses, and for their expenses as an escort to John Doughty, with loan-office certificates to New-England, the sum of 400 dollars; they to be accountable.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**WEDNESDAY, January 8, 1777.**

A letter, of the 5th, from the committee of Congress in Philadelphia, was read:

*Resolved*, That gen. Washington be directed to propose to general Howe, an exchange of lieutenant-colonel Gezeau, a French gentleman taken with general Lee, and said to be then on his journey to solicit a commission from Congress, for an officer of equal rank, or take such other measures as shall be effectual to obtain his release.

The committee of treasury laid before Congress a farther list of persons recommended by the treasurer to sign the bills of credit, who were approved of, and are as follows: William Gibson, John Philpot, Richard Johns, Robert Dorsey, and Mark Alexander.

The committee appointed to take into consideration a letter from William Kennon to general Lee, relative to magazines of provisions laid up by the said William Kennon, in the states of South-Carolina and Georgia, as it is said, by order of general Lee, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That it be recommended to the president of the state of South-Carolina, and to the president of the state of Georgia, to appoint proper persons to enquire what quantity of provisions have been stored by William Kennon for the public use, agreeable to engagements made with general Lee; and that they take such provisions off Mr. Kennon's hands, allowing him the price thereof, if they judge it reasonable, with an adequate recompense for his trouble and expenses; that they fulfil any engagements he may be under, by having pledged his credit, they receiving the provisions for which such engagements have been made. That the presidents of the said states also appoint commissaries to remove such provisions as are fit for use, to places of safety, and to make returns, as soon as may be, of the quantity and cost thereof: that the presidents of those states also certify to the continental treasury-office, the amount of the said William Kennon's demand against the continent, and that it be paid to the said William Kennon accordingly, or to any other applying in his behalf, properly empowered for that purpose.

The committee, to whom the letter of George Morgan was referred, brought in a report, which was taken into consideration; Whereupon,



*Resolved*, That, pursuing the idea of Congress for quickly reinforcing the army, the governor of Virginia be desired, by a letter from Mr. President, to order col. Wood's and the West-Augusta battalions to march immediately by the nearest routs to join gen. Washington in New-Jersey; leaving recruiting officers behind to complete the battalions, if they are not already full, and to follow on with their recruits:

That for the defence of the western-frontiers of Virginia against Indian incursions, the forts Pitt and Randolph be each garrisoned at continental expense, with a company of 100 men, commanded by one captain, two lieutenants, one ensign, and the usual inferior non-commissioned officers:

That the governor and council of Virginia appoint and commissionate, with continental commissions, the proper officers to recruit and command said companies, and that the men be enlisted during the war:

That provision for 2000 men, six months, be laid in at Fort-Pitt, to be in readiness, if it should become necessary, to chastise Indian irruptions, by going to their towns:

That 100 bushels of salt be ordered by the secret committee from the continental stock, for the purpose of curing said provisions:

That as many boats and proper vessels be procured, as may be sufficient for conveying 1500 men, with their provisions, from Pittsburg, to Hockhocking; and that they be kept in readiness at Pittsburg:

That the goods mentioned in Mr. Morgan's letter, be purchased, and brought down to this place immediately, except the powder and lead, which may remain at Pittsburg, for public use in that quarter:

That the sum of 4500 dollars be advanced to Mr. Morgan on account, for the following uses, viz.

For expenses incurred by order of the commissioners,	\$ 600
For contingent expenses of his department until June next,	600
Various charges and expenses in transporting goods,	600
For purchasing provisions and casks for packing, &c.	2700
	<hr/>
	4500

That Mr. Morgan be authorized to draw a bill on the president of Congress, for the amount of the goods already mentioned, which he estimates at 4 or 5000 dollars:

That Mr. Morgan have the rank and pay of a colonel on the continental establishment:

That John Fernee be paid the sum of 50 dollars, for a wagon-horse, stolen from him by the Seneca Indians, as he returned from the late treaty at Pittsburg:

That colonel Morgan appoint a proper person deputy-commissary, for providing and taking care of the provisions for the garrisons upon the western-frontiers of Virginia, and to take care of the provisions and other continental stores, laid up at those places, for Indian expeditions, and other public purposes; and the said commissary is directed to receive the provisions, and fulfil the contracts made by the government of Virginia, for victualling and supporting said western garrisons:

The committee of treasury report, that there is due,

To Peter Galloway, for riding express to Frederick and Annapolis, in Maryland, the sum of 13.30 dollars:

To John Biddle, for furnishing provisions to men, women and children, prisoners, at Reading, 333.80 dollars:

They farther report, that they have examined the accounts of Robert Jewell, for the maintenance of prisoners in the new gaol of Philadelphia, and for the salary of himself and two assistants, &c. amounting, in the whole, to 1783.57 dollars; of which he has received the president's warrant for 500 dollars; and that there remains a balance due to him of 1283.57 dollars:

That there is due to the hon. Roger Sherman, esq. for money advanced by him to Andrew Gillman, to pay the expenses of the Penobscot Indians, who joined general Washington, 48.30 dollars, the said Gillman to be accountable :

That there is due to the hon. Samuel Chace, esq. the sum of 400 dollars, 200 of which sum was advanced by him to capt. Levin Winder, for the expense of conveying the North-Carolina prisoners to Baltimore, and 200 dollars advanced to Mountjoy Baily, for the expense of Jersey prisoners from Philadelphia to Fredericktown ; the said Winder and Baily to be accountable.

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, January 9, 1777.

*Resolved*, That Udney Hay, esq. be appointed a lieutenant-colonel by brevet, and assistant deputy quarter-master general, and stationed at Ticonderoga :

That William Claijon, secretary to general Gates, be appointed interpreter for the northern department, and that there be allowed him, as secretary and interpreter, the pay of 66 dollars per month :

The committee, to whom the petition of the North-Carolina prisoners was referred, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That a good and convenient house, if possible, be provided for their reception ; that they be put upon their parole, and that an oath be administered to them, after the manner used in Scotland ; and, at the same time, that a serjeant's guard be kept at the house, to prevent all suspicion of improper intercourse with them :

That capt. John Mackenzie, who was enlarged upon his parole several months ago, and has since resided in Donnegall, in Pennsylvania, be permitted to go home to his family, he giving his oath to do nothing to the prejudice of the American states, or any of them, and finding security in the sum of £.500, to observe this engagement, as also, that he, himself, shall present this resolution to the executive powers of North-Carolina, for their concurrence, and be entirely subject to their directions.

*Resolved*, That 266.60 dollars be advanced to captain Lee for the use of the light-horse under his command, on their march from Virginia to join general Washington ; the said captain Lee to account with the pay-master general for the expenditure.

Congress resumed the consideration of the report of the medical committee ; Whereupon,

*Resolved*, That Dr. John Morgan, director-general, and Dr. Samuel Stringer, director of the hospital in the northern department of the army of the United States, be, and they are hereby, dismissed from any farther service in said offices :

That the directors of the military hospitals throughout the army, with the assistance of the hospital and regimental surgeons in each department, make returns to Congress, as soon as possible, of the kind and quantity of medicines, instruments, and hospital-furniture that remain on hand.

A letter, of the 6th, from the committee of Congress at Philadelphia, enclosing one, of the 5th, from general Putnam, at Bristol, and a copy of one, of the 4th, from major A. Hubley at Bordentown, were read, and referred to the committee of intelligence ;

One, of the 18th of December, 1776, from the council of Massachusetts-Bay, was read, and referred to the board of war.

*Resolved*, That the president be desired to write to the executive powers of the different United States, requesting that they will, as soon as possible,

inform Congress, what success the officers in their respective states have met with, in raising the troops, required by the resolve of the 16th of September last.

The delegates from the state of Massachusetts-Bay, laid before Congress credentials of their appointment, which were read as follows :

“ IN COUNCIL, *December 10, 1776.*

“ Whereas John Hancock, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry, Francis Dana, and James Lovell, esqrs. have been chosen, by joint ballot of the two houses of assembly, to represent the state of Massachusetts-Bay, in New-England, in the American Congress, until the first day of January, 1778 :

“ *Resolved*, That they, or any three or more of them, are hereby fully empowered, with the delegates from the other American States, to concert, direct and order such farther measures, as shall to them appear best calculated for the establishment of right and liberty to the American states, upon a basis permanent and secure against the power and art of the British administration ; for prosecuting the present war, concluding peace, contracting alliances, establishing commerce, and guarding against any future encroachments and machinations of their enemies, with power to adjourn to such times and places, as shall appear most conducive to the public safety and advantage. And the secretary is hereby directed, as soon as may be, to signify to each of those gentlemen their appointment, with an attested copy of this resolve.

“ Sent down for concurrence.

“ JOHN AVERY, *Dep. Secretary.*”

“ IN THE HOUSE OF REPRESENTATIVES, *December 10, 1776.*

“ Read and concurred,

“ SAM. FREEMAN, *Speaker pro. tem.*

“ Consented to by the major part of the council.

“ A true copy,

JOHN AVERY, *Dep. Secretary.*”

*Resolved*, That Mr. Brownson be appointed a member of the marine committee :

That two members be added to the committee for regulating the several boards of business :

The members chosen, Mr. Sherman and Mr. Heyward.

The committee appointed to take into consideration the letter from the committee of Congress at Philadelphia, relative to the means of procuring provisions in the middle and southern states, for the supply of the continental army, brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That it be most earnestly recommended to the executive powers of Georgia, South-Carolina, North-Carolina, Virginia, and Maryland, immediately to appoint suitable persons, to purchase and collect such quantities of beef and pork as they have or can obtain salt to cure ; that each state, shall make use, not only of the salt within its own limits, but shall have recourse to its neighbors, either by bringing salt from them, or sending their live hogs and cattle to be killed and salted there. That the persons employed to execute this business, be directed to make use of the utmost economy, and cautiously avoid bidding upon each other, whereby great injury hath already been done to the public.

That in the opinion of Congress, the executive powers of the several states, above-mentioned, would do well to limit the prices of the said articles, and not suffer persons employed in purchasing, to exceed them ; and that the purchasers should be paid a reasonable commission upon the purchases, in order to stimulate them to be active and industrious :

That the provisions be stored in secure magazines, convenient for transportation; and that the several states, whom this resolve is intended particularly to effect, may more effectually co-operate to accomplish this important purpose, it is recommended to the said executive powers, that they confer together by epistolary correspondence, or such other manner as they may think best, in order to pursue some general and beneficial plan, in which they may be mutually useful to each other:

That the president communicate to Joseph Trumbull, esq. commissary-general, such part of the committee's letter as relates to Carpenter Wharton: That it be recommended to the secret committee to fall upon some expedient immediately, to supply the state of North-Carolina with salt, for the purpose of carrying the foregoing resolution into effect.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *January 10, 1777.*

A petition from William Goddard, and one from Elisha Painter, were read and referred to the board of war.

*Resolved*, That 60,000 dollars be advanced to the state of Maryland for public services, the said state to be accountable.

*Resolved*, That 300,000 dollars be sent to Ebenezer Hancock, esq. deputy pay-master general in the eastern department, for the purpose of paying the bounties and defraying the expenses of raising the new levies in that department.

*Resolved*, That 16,666.60 dollars be advanced to the delegates of Georgia, for the use of that state, which is to be accountable.

*Resolved*, That John Dorsey and Edward Gater be appointed signers of the bills of credit, in addition to those already appointed.

Congress resolved itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency; and, after some time spent thereon, the president resumed the chair, and Mr. Nelson reported, that the committee have had under consideration the matters referred to them, but not having come to a conclusion, desired leave to sit again.

*Resolved*, That this Congress will, to-morrow, resolve itself into a committee of the whole, to take into further consideration, the state of the treasury, and the means of supporting the credit of the continental currency:

That 600 dollars be advanced to major Ottendorf, for the purpose of recruiting his independent company of 150; he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, *January 11, 1777.*

*Resolved*, That the determination on the sentence of the court-martial, passed on colonel Donald Campbell, be referred to general Gates for his approbation or disapprobation; any thing in a former resolve, referring it to general Schuyler, to the contrary, notwithstanding.

*Resolved*, That 266 60 dollars be advanced to captain John Jamison, and 266 60 dollars to major Theodorick Bland, both of the light-horse from Virginia, for defraying the expense of the troops under their command; they to be accountable.

That 1066 60 dollars be advanced to Henry Hollingsworth, for the purpose of supplying the troops from Virginia on their march to Philadelphia; he to be accountable.

It being represented to Congress, that several persons, disaffected to the American cause, have, through inadvertence, been employed as deputy post-

masters and post-riders; which, if true, must be attended with the most mischievous effects;

*Resolved*, That the post-master general be, and he is hereby directed to transmit to Congress, a list of names of the persons so employed, and by whose recommendation they were introduced, that Congress may consider, and, if necessary, take order therein; and that he assign reasons why the late resolves of Congress, for regulating the post-office, are not carried into execution.

*Resolved*, That an agent be appointed for transacting business between the United States and the several Indian nations and tribes in Nova-Scotia, and the country to the northward and eastward thereof; and that Tuesday next be assigned for electing one.

*Resolved*, That a committee of four be appointed to prepare a resolution for regulating the impressing of wagons and horses for the public service:

The members elected, Mr. R. H. Lee, Mr. Sherman, Mr. Witherspoon and Mr. Adams.

An appeal being lodged against a sentence passed in the court of admiralty for the state of Rhode-Island, on the libel of Job Pierce vs. the brig Phoenix:

*Ordered*, That the hearing and determining the said appeal be referred to the committee appointed on the 4th instant.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, January 18, 1777.

A letter, of the 5th, from general Washington, at Pluckemin, in New-Jersey; one, of the 7th and 8th, from the committee of Congress at Philadelphia; one, of the 30th December, 1776, from general Schuyler at Albany; one, of the 21st of the same month, from Richard Varick, with the returns of the garrisons at and near Ticonderoga; one, of the 28th of the same month, from the convention of New-York, with sundry papers enclosed; one, of the 6th instant, from the council of safety of Pennsylvania; one, of the 1st from J. Trumbull, junior; and one of the 23d of December, from governor Trumbull, were laid before Congress, and read:

*Ordered*, That the letter from general Schuyler be referred to the committee on the northern army:

That the letter from the council of safety of Pennsylvania, be referred to the cannon-committee:

That the letter from J. Trumbull, jun. be referred to the board of treasury:

That the rest be referred to the board of war.

*Resolved*, That 40 blankets be delivered by the secret committee to lieutenant Alexander Spotswood Dandridge, of captain Lewellin Jones's troop of Virginia horse, for the use of the said troop.

*Resolved*, That 100 dollars be paid to Walter Cruise, and 100 dollars to Richard Carpenter, who have been long detained prisoners by the enemy, and cruelly treated by them; and that they be recommended to general Washington to be employed in the service of the United States, in such way as he shall think proper.

*Resolved*, That the committee of Congress at Philadelphia, be empowered to purchase the prize sloop of war, taken by the Andrew Doria, with her guns, apparel and furniture, and fit her out as a continental cruizer.

*Resolved*, That a member be added to the board of war:

The member chosen, Mr. S. Adams.

*Ordered*, That a copy of the resolutions, lately passed respecting the northern army, be made out, and delivered to general Gates, to be by him carried to general Schuyler.

Congress resolved itself into a committee of the whole, to take into further consideration the state of the treasury, and the means of supporting



the credit of the continental currency; and, after some time spent thereon, the president resumed the chair, and Mr. Nelson reported, that the committee have had under consideration the matter to them referred, and have made farther progress, but not having come to a conclusion, desired leave to sit again.

*Resolved*, That Congress will, to-morrow, resolve itself into a committee of the whole, to take into consideration, the state of the treasury, and the means of supporting the credit of the continental currency.

*Resolved*, That the board of war be directed to send the prisoners, who are at the guard-house, to Leesburg, in Virginia, there to be delivered to the committee of that town, who are desired to have them securely confined till farther orders.

*Resolved*, That the committee lately appointed to hear appeals, be empowered to take the deposition of ——— Coffin, who is obliged to go to sea this evening, there being no magistrate in this town to take his deposition.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, January 14, 1777.

*Resolved*, That William Young and George Patterson be appointed signers of the bills of credit in addition to those already appointed.

The committee to whom the letter from general Schuyler was referred, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Messrs. Morris, Clymer, and Walton, be directed, with all possible despatch, to procure, in the state of Pennsylvania, or New Jersey, and send to Albany, three tons of steel and five tons of nail rods, for the use of the army in the northern department:

That Congress approve of general Schuyler's design of building five or six flat bottomed boats, of considerable force, for the guard of lake George, so contrived as to carry flour, and other provisions, as occasion may require:

That general Schuyler, or the commanding officer of the northern army, give such instructions to the regimental pay-masters as he shall judge necessary, and transmit a copy thereof to Congress.

That the medical committee provide a suitable assortment of medicines, and send them to the hospital in the northern army, with all possible despatch, together with other necessaries for the sick; and that the list mentioned by Dr. Stringer, in a paper, No. 1, enclosed in general Schuyler's letter, be committed to them:

That Dr. Potts be directed to repair to Ticonderoga without delay:

That Dr. Stringer be directed to deliver to Dr. Potts, such medicines, and other medical stores, as may be in his hands belonging to the continent.

*Resolved*, That the light horse from Virginia be taken into continental pay, and put upon the continental establishment; that their pay commence from the 25th of November last; and that the state of Virginia be reimbursed for the horses and furniture of the said troops:

That 266.60 dollars be advanced to Theodorick Bland, esq. major of the squadron of light horse from Virginia, for the use of the said squadron, he to be accountable:

That 1000 dollars be advanced to Gerard Hopkins, son of Richard, quartermaster, for the public service; he to be accountable.

Agreeably to the order of the day, Congress proceeded to the election of an agent for the Indians, in Nova-Scotia, and the tribes to the northward and eastward thereof; and, the ballots being taken,

John Allen, esq. was elected.

*Resolved*, That a committee of three be appointed to prepare instructions for Mr. Allen:

The members chosen, Mr. S. Adams, Mr. Wolcott, and Mr. Thornton.

Congress resolved itself into a committee of the whole, to take into farther consideration the state of the treasury, and the means of supporting the credit of the continental currency; and, after some time spent thereon, the president resumed the chair, and Mr. Nelson reported, that they having had under consideration the matters to them referred, had come to sundry resolutions, which he was ordered to report whenever the house should be ready to receive them:

*Ordered*, That they be now received.

The report from the committee of the whole being read, was agreed to as follows, viz.

Whereas the continental money ought to be supported, at the full value expressed in the respective bills, by the inhabitants of these states, for whose benefit they were issued, and who stand bound to redeem the same, according to the like value; and the pernicious artifices of the enemies of American liberty to impair the credit of the said bills, by raising the nominal value of gold and silver, or any other species of money whatsoever, ought to be guarded against and prevented:

*Resolved*, That all bills of credit, emitted by authority of Congress, ought to pass current in all payments, trade, and dealings, in these states, and be deemed in value equal to the same nominal sums in Spanish milled dollars; and that whosoever shall offer, ask, or receive more in the said bills for any gold or silver coins, bullion, or any other species of money whatsoever, than the nominal sum or amount thereof in Spanish milled dollars, or more, in the said bills, for any lands, houses, goods, or commodities whatsoever, than the same could be purchased at of the same person or persons in gold, silver, or any other species of money whatsoever; or shall offer to sell any goods or commodities for gold or silver coins, or any other species of money whatsoever, and refuse to sell the same for the said continental bills; every such person ought to be deemed an enemy to the liberties of these United States, and to forfeit the value of the money so exchanged, or house, land, or commodity so sold or offered to sale. And it is recommended to the legislatures of the respective states, to enact laws inflicting such forfeitures and other penalties on offenders as aforesaid, as will prevent such pernicious practices:

That it be recommended to the legislatures of the United States, to pass laws to make the bills of credit, issued by the Congress, a lawful tender, in payments of public and private debts; and a refusal thereof an extinguishment of such debts: that debts payable in sterling money be discharged with continental dollars, at the rate of 4s. 6 sterling per dollar; and that in discharge of all other debts and contracts, continental dollars pass at the rate fixed by the respective states for the value of Spanish milled dollars:

That it be recommended to the legislatures of the several states to pass resolutions that they will make provision for drawing in and sinking their respective quotas of the bills emitted by Congress at the several periods fixed, or that shall be fixed by Congress:

That it be recommended to the legislatures of the several states, to raise, by taxation, in the course of the current year, and remit to the treasury, such sums of money as they shall think will be most proper in the present situation of the inhabitants; which sums shall be carried to their credit, and accounted for in the settlement of their proportion of the public expenses and debts, for which the United States are jointly bound:

That an additional sum of two millions of dollars be borrowed at the loan-offices, on certificates of 200 dollars each:

That the commissioners of the loan-office be directed to receive the bills of credit heretofore emitted by the states in which they respectively hold their offices, for such sums as shall be ordered by the commissioners of the treasury.



or continental treasurer, from time to time, for continental purposes, within such states respectively.

Congress being informed that a number of Hessian officers, prisoners, are on their way to this town,

*Resolved*, That the board of war be directed to send the said prisoners to Dumfries, in Virginia, with a request to the committee of the said town, to see them suitably provided for, agreeable to the provision made for prisoners.

*Resolved*, That two months' pay be advanced to St. Pierre Auguste de St. Aubin, adjutant of the squadron of the Virginia light-horse; he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *January 15, 1777.*

*Resolved*, That Messrs. Purviance be requested immediately to remove all the powder belonging to the continent from the ware-house in this town, to a convenient house some distance therefrom, in proper wagons and carts, taking care that the tight barrels alone be removed, and that careful persons be employed to make 30 gallon casks, sufficient to contain all the powder that may be in battered or open casks:

That captain Smith be desired to furnish a guard, of the most trusty and orderly soldiers, over the powder.

The committee appointed to prepare instructions to Mr. J. Allen, agent for Indian affairs in the eastern department, brought in a draught, which was read; and, being amended, was agreed to as follows:

SIR, Having been informed of your knowledge of, and acquaintance with, the tribes of Indians, inhabitants of St. John's and Nova-Scotia, and, confiding in your zealous attachment to the interest of the United States, this Congress have made choice of you to be their agent, empowering you, in their behalf, to treat with those Indians, and as far as you shall be able, to engage their friendship, and prevent their taking a part on the side of Great-Britain, in the unjust and cruel war against these United States:

You will explain to them, as clearly as their understanding of the nature and principles of civil government will admit, the grounds of the dispute between Great-Britain and America, the pains we have taken to settle those disputes on the rules of equity, and the necessity we were finally driven to, in defence of our liberty and lives, to resist our oppressors unto blood. Thus, by convincing them of the justice of our cause, you may attach them to our interests, and lay a solid foundation for lasting peace and friendship with us:

You will also inform them of the union that subsists among the people of these states, and the strength derived therefrom, to each of them: that viewing us in this light, they may see their own safety depending upon their peaceable disposition and behaviour toward us:

You are to cultivate trade with them; by which means, many great advantages which have heretofore thence accrued to the subjects of Great-Britain, will be gained by the people of these states:

And you are, in a particular manner, instructed to use your utmost diligence and influence to promote an intercourse and correspondence between those tribes and the Indians living in and about Canada; by the effecting of which, the most useful and necessary intelligence may be frequently obtained; and you are to give the earliest notice to Congress, and to general Washington, and the commanding officer at Ticonderoga, of such intelligence as you may receive:

You will, as often as you shall be required, exhibit to Congress a fair account of the expenditure of such monies as you may be entrusted with,

for the purpose of your agency; together with a general state of affairs within your department, that Congress may avail themselves of it for the public good.

*Resolved*, That the sum of 900 dollars be annually allowed and paid to John Allen, esq. during his continuance as agent of this Congress, to the Indians of St. John's and Nova-Scotia:

That 1000 dollars be advanced to John Allen, esq. agent, &c. to enable him to carry on the affairs of his agency among the Indians of St. John's and Nova-Scotia; he to be accountable for the same.

*Resolved*, That the sum of 533.30 dollars be advanced to the board of war, for defraying the expense of sending the Hessian prisoners to Dumfries, and the prisoners in the guard-house in Baltimore, to Leesburg, in Virginia, agreeable to the orders of Congress; the said board to be accountable for the expenditure.

*Resolved*, That the sum of 55,000 dollars be advanced to the delegates of Georgia, for the use of the troops raised by that state; the said state to be accountable.

*Resolved*, That the secret committee be directed to supply captain Yates's company with blankets; and that one month's pay be advanced to captain Yates for his company; he to be accountable.

*Resolved*, That 2000 dollars be advanced to brigadier Smallwood, for the purpose of defraying the arrears due to the men of his late battalion; he to be accountable.

*Resolved*, That to-morrow be assigned for appointing a pay-master in Baltimore.

Congress then resolved itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency; and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have come into a resolution on the subject to them referred, which he was ordered to report:

The report being read, was agreed to as follows:

*Resolved*, That the continental treasurer be empowered and directed to borrow money on the loan-office certificates; that they be countersigned by the auditor general for the time being, and that in transacting this business, he govern himself by the rules prescribed to the commissioners of the other loan-offices; and have, for his trouble, the same allowance.

*Resolved*, That this Congress will, to-morrow, resolve itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, January 16, 1777.

*Resolved*, That Mr. Paine be added to the committee last appointed to hear appeals.

*Resolved*, That a warrant for 100,000 dollars, in favor of James Mease, for public service, be drawn and sent to the treasurer; that sum having been advanced by the treasurer on the 11th of December last, to the said Mease, by order of Mr. Nelson:

That a warrant for 26 60 dollars be drawn in favor of John Norman, for a rolling-press; that sum having, on the same day abovementioned, been advanced by a like order:

That a warrant for 10,000 dollars be drawn in favor of Carpenter Wharton, for public service; that sum having been paid by the treasurer on the said 11th December to James White, assistant deputy commissary, by order of Mr. President, issued in pursuance of a letter from said Carpenter Wharton.

*Resolved*, That 365 dollars be paid to George Ross, esq. and charged to colonel Moses Hazen; the same being in full of an order in his favor, drawn by lieutenant-colonel Edward Antil, for the recruiting service of colonel Hazen's regiment, dated January 6, 1777.

The board of war brought in a report, which was taken into consideration, Whereupon,

*Resolved*, That general Washington be directed to propose to general Howe, that a commissary be appointed on behalf of the United States, to furnish the American prisoners of war, captivated by the British army, with such necessaries as they may want; and if such commissary be allowed to reside among the prisoners, that general Washington appoint a suitable person for the purpose, until an exchange can be effected:

That the continental agents, in the middle and eastern departments, be directed to furnish the commissary of clothing with an account of what clothes or materials for making clothes they have in their custody, and that they send forward such clothing, to the order of the said commissary of clothing, to be distributed, agreeable to the directions of general Washington, among the troops in the several departments, in such proportions as he shall think proper: and that the general be requested, particularly, to attend to the wants of the state of New-York, which, from its peculiar situation, is precluded from the means of procuring clothing and necessaries for the troops raised there:

That a copy of the letter from the convention of New-York, dated at Fish-Kill, 28th of December last, be sent to general Washington; and that he be empowered to take such order in the several matters therein contained, as he shall think best; and that a letter be written to the said convention, informing them of what Congress has done in compliance with their several requests:

That so much of the letter from the convention of New-York, as relates to the defence of Hudson's river, by means of the frigates or otherwise, be referred to the marine committee:

That the convention of New-York be informed that Congress highly approve of their spirited exertions for the defence of their own, and the state of New-Jersey, against the desolation and ravages of our cruel and remorseless enemy; and that Congress have received the address of the said convention to the people of that state, containing sentiments highly and generally interesting to the inhabitants of these states, to whose serious perusal and attention it is earnestly recommended; and that the same be translated into the German language, and printed at the expense of the continent:

That Mr. Lewis be directed to have the said address translated and printed.

*Resolved*, That a committee of seven be appointed to enquire into the conduct of the British and Hessian generals and officers towards the officers, soldiers and mariners in the service of the United States, and any other persons, inhabitants of these states, in their possession, as prisoners of war, or otherwise, and also into the conduct of the said generals and officers, and the troops under their command, towards the subjects of these states and their property, more especially of the states of New-York and New-Jersey.

The members chosen, Mr. Chase, Mr. Witherspoon, Mr. Clark, Mr. Lewis, Mr. Ross, Mr. Heyward, and Mr. Smith.

The committee of treasury reported, that there is due to Abraham Simons, for the hire of Ludwick Neal's wagon, in the service of the Virginia light-horse, the sum of £ 15, Virginia money, equal to 50 dollars:

To John Blackburn, for the hire of Thomas Allen's wagon, in the service of the Virginia light-horse, the sum of 47 82 dollars:

*Ordered*, That the said accounts be paid.

*Resolved*, That the appointment of a pay-master in Baltimore be postponed till Saturday next.

*Ordered*, That the oath of fidelity be published.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**FRIDAY, January 17, 1777.**

A letter, of the 10th, from brigadier Lewis; and one, of the 12th, from William Aylett, deputy commissary general, in Virginia, were read :

*Ordered*, That the letter from deputy commissary Aylett be referred to the board of war.

*Ordered*, That Mr. President return an answer to brigadier Lewis, and inform him that Congress desire him to continue in Virginia, and that he has liberty to visit his family, provided the public service will admit.

A letter, with a number of papers, from Dr. Morgan, was laid before Congress, and referred to the medical committee.

*Resolved*, That 300,000 dollars be sent to the pay-master general for the use of the army :

That 40 dollars be paid to Guillaume de Luce, to defray the expenses of his journey to the army under general Washington.

*Resolved*, That two members be added to the committee of intelligence; and that the said committee be directed to publish an authenticated extract of the last letter from general Washington :

The members chosen, Mr. Heyward, and Mr. Sergeant.

Congress being informed that six companies of Maryland militia, under the command of colonel Murdock, consisting in the whole of 101 privates, without arms, and 53 commissioned and non-commissioned officers, are in this town waiting the orders of Congress,

*Resolved*, That Congress approve of the alacrity and spirit of the said militia; but, considering that such a great disproportion of officers and men is utterly inconsistent with military order and arrangement, and that encouraging such an example, might involve these United States in great expense, and not having a sufficient number of arms at present to equip them, and the troops to be raised on the new establishment, order, that the said companies be discharged and paid, and that 1000 dollars be lodged with Mr. Jonathan Hudson, for the purpose of paying these troops, and the two companies of the said battalion which are expected in town.

Sundry resolutions, respecting the laying up of magazines of provisions, being moved and seconded,

*Ordered*, That they be referred to a committee of three :

The members chosen, Mr. Sherman, Mr. Chase, and Mr. Gerry.

*Ordered*, That the secret committee lay before Congress, a list of the articles which they have ordered in consequence of the directions of Congress, distinguishing how much is arrived and what is expected.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**SATURDAY, January 18, 1777.**

General Gates, to whom the sentence of the court martial, held at Crown-Point in July last, upon the conduct of colonel Campbell, was referred, having reported, that he has considered the same, and is of opinion, that colonel Donald Campbell, deputy quarter-master general in the northern department, does not deserve to be cashiered for the crime alleged against him in the general court-martial referred to.

*Ordered*, That a copy of the above be sent to general Washington :

That the memorial formerly received from colonel Campbell, with the papers enclosed, be referred to a committee of three :

The members chosen, Mr. Ross, Mr. Whipple, and Mr. Adams.

**Resolved**, That 6000 dollars be advanced to colonel Mackay, for the purpose of paying the non-commissioned officers and privates of his battalion 10 dollars bounty, in addition to the 10 dollars advanced them on their first enlistment, provided they will re-enlist to serve for three years, or during the war, agreeably to former resolutions of Congress; colonel Mackay to be accountable.

The board of war brought in a report, which was taken into consideration: Whereupon,

**Resolved**, That 100,000 dollars be sent to governor Trumbull, for the purpose of recruiting the continental army, in the state of Connecticut:

That William Aylett, esq. deputy commissary-general in Virginia, be directed to secure, and safely keep, for the continental use, all provisions, agreed to be furnished by the contractors in that state, agreeably to their several contracts: and that it be left to the governor and council of that state, to settle what compensation shall be given to the contractors, by the ration, for their trouble and expense in purchasing the said provisions.

**Resolved**, That Congress approve of the proceedings of their committee at Philadelphia, in supplying the recruiting officers, appointed by the state of New-Jersey, with money; and also of their exertions in furnishing the paymaster general, and Mr. Huntington, with what cash they could procure, to answer their immediate demands:

That one independent company, consisting of a captain, two lieutenants, one ensign, four serjeants, four corporals, one drum, one fife, and seventy-six rank and file, be forthwith raised for the continental service, for three years or during the war, and stationed in the borough of Lancaster as a guard over the prisoners of war, and public stores in that place, until they shall be ordered elsewhere:

That the officer commanding the said company afford to the committee of Lancaster, all necessary assistance to carry into execution the resolves of Congress:

That particular attention be paid to the enlisting of sober and discreet men into the said company:

That the committee of Congress in Philadelphia, be desired to inform the quarter-master general, what number of horses and oxen, in the public stables at Philadelphia, are fit for service:

That they employ a careful person to distribute in the country such of them as are disabled; there to be recruited in the cheapest manner:

That the keepers of the continental stables admit no horses or teams to be received into, or taken out of the same, unless by order of a general officer commanding in the place where the stables are respectively kept; or of the quarter-master or deputy quarter-master general, or wagon-master, or deputy wagon-master general.

The board of war, to whom the case of major Painter was referred, reported, that, upon enquiry into the matter of the uneasiness of some of the captains in colonel Seth Warner's regiment, at the appointment of Elisha Painter to be major of the said regiment, it appears to have proceeded from an opinion of their prior rank to him as captains, previous to said appointment, and that his continuance in the said regiment will probably obstruct the filling up the same, and be prejudicial to the service; Whereupon,

**Resolved**, That the said Elisha Painter be removed from any command in the said regiment, and referred to general Washington for an appointment to such an office, as he shall judge him qualified to fill.

**Ordered**, That an authenticated copy of the Declaration of Independency, with the names of the members of Congress subscribing the same, be sent to each of the United States, and that they be desired to have the same put upon record.



Agreeably to order, Congress proceeded to the election of a pay-master in Baltimore ; and, the ballots being taken,

Mr. Jonathan Hudson was elected.

*Resolved*, That the salary fixed for the assistant clerk of the board of war, be continued to Mr. Nourse, and that an additional sum be allowed him at the rate of 266.60 dollars per ann. on account of his extraordinary expenses.

The committee of treasury reported, that there is due,

To George Ross, esq. for the expenses of himself, Dr. Witherspoon, and Mr. Pata, a committee of Congress, sent to New Jersey ; and for cash paid by him to Mr. Jacob Hyer, for keeping an express horse at Princeton, 89.60 dollars :

To Robert Moore, for 13 walnut and 6 mahogany chairs, a desk and table, for the use of Congress, and the president's office, 93 dollars :

To the reverend Dr. John Witherspoon, for wood supplied the troops at Princeton ; for the expenses of sick soldiers ; and the allowance due to John M'Kenzie, a prisoner from North-Carolina, from the 18th of October to the 10th of January, inclusive, being 12 weeks, 105.78 dollars :

*Ordered*, That the said accounts be paid.

*Ordered*, That the resolution appointing a committee of seven to enquire into the conduct of the British and Hessian officers, with regard to the treatment by them shewn to the prisoners in their possession, be published, with the names of the committee.

*Resolved*, That a store-keeper be appointed to take the charge and care of the continental stores in Maryland :

That Monday next be assigned for electing him.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, January 20, 1777.

A letter, of the 12th, from general Washington ; one, of the 16th, from the committee of Congress at Philadelphia, with copies of sundry letters enclosed ; one, of the 27th December last, from the honorable Mesheck Weare, president, in behalf of the council and assembly of New-Hampshire ; one, of the 7th, from general Schuyler, at Albany ; and one, of the 2d, from col. A. Wayne, at Ticonderoga, were read :

*Ordered*, That the letters from general Schuyler and colonel Wayne be referred to the board of war :

That the letter from the honorable Mesheck Weare, be referred to the committee of the treasury.

A letter, of the 15th, from brigadier general Armstrong, and J. Wilson, esq. was read, and referred to the board of war.

Nathaniel Gist, esq. being appointed by general Washington a colonel of a corps of rangers, and by him recommended to Congress for money to pay the bounty,

*Resolved*, That 3000 dollars be advanced to colonel Gist, towards paying the bounty of his corps ; he to be accountable :

That a farther sum of 250 dollars be advanced to colonel N. Gist, to defray the expenses of his journey to the Cherokee country, agreeable to orders received from the general ; for which colonel Gist is to be accountable.

The board of treasury, to whom the letter from the honorable Mesheck Weare was referred, brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That 100,000 dollars be advanced to the state of New-Hampshire, for the public service ; the said state to be accountable.

A motion being made, and seconded, for ordering barracks to be built,

*Ordered*, That it be referred to the board of war.

**Ordered,** That the board of war take into consideration the pay of the staff, and report thereon to Congress.

**Ordered,** That an extract of the letter from the committee of Congress, at Philadelphia, respecting an expedition to the northward, be sent and referred to general Schuyler.

A letter, of the 14th, from the committee of Congress at Philadelphia; one, of the 9th, from general Washington, at Morristown; one, of the 3d, from general Schuyler, with a memorial from Bernard Moissac D. la Marquisse, were read:

**Resolved,** That 400 dollars be advanced to John Griffith, for the use of the sick in the hospital in Baltimore; he to be accountable.

**Resolved,** That a committee of three be appointed to examine the file of reports, and lay before Congress, a list of the business unfinished, and which ought to be taken up:

The members chosen, Mr. Ellery, Mr. Ross, and Mr. Hall.

That 750 dollars be advanced to the delegates of North-Carolina, for the use of that state, which is to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## TUESDAY, *January 21, 1777.*

A letter, of the 18th instant, from Richard Bache, esq. post-master general, was received and read.

The board of war brought in a report, which was taken into consideration: Whereupon,

**Resolved,** That colonel Grayson, and lieutenant-colonel Innes, of colonel Mason's regiment, to be raised in the state of Virginia, be immediately furnished with cloth for 200 suits of clothes, in order to expedite the raising of those regiments:

That the part of the 8th Virginia regiment, now in South-Carolina, be ordered back, and that colonel Muhlenburgh be directed to recruit those companies, as well as such as are now in Virginia, to their full complement of men, and to march the companies, as fast as complete, to join general Washington:

That major Richard Campbell, who was appointed by general Lee, in South-Carolina, to act as major to colonel Muhlenburgh's regiment, until the pleasure of Congress should be known, be appointed to said majority, his commission to bear date the 10th of August last, the time he was appointed in general orders:

That 300 dollars be advanced to major Richard Campbell, to enable him to discharge wagons, and furnish the troops he has now with him on their way to camp, with shoes, and such other necessities as they may want; the said major Campbell to be accountable for the expenditure:

**Resolved,** That 10,000 dollars be paid to colonel William Grayson, for the purpose of recruiting his regiment, and that the same be charged to the account of William Palfrey, esq. it being in full of a warrant drawn by general Washington, in his favor, on William Palfrey, dated, Morristown, 11th January, 1777.

Application having been made to Congress by the friends of major West, of the 3d Pennsylvania battalion, now a prisoner with the enemy, for an exchange of him for Mr. Jauncey, jun. and that if the exchange takes place, Mrs. Jauncey be permitted to accompany her husband; and it appearing on consideration of this application, that the said Mr. Jauncey, jun. was removed to the state of Connecticut, from New-York, by direction of the convention of the said state of New-York;

**Resolved,** That the said application be referred to the convention of New-York, that they may do therein what shall be proper.



*Ordered*, That a letter be written to the council of safety of Maryland, earnestly recommending to them, to appoint subaltern-officers for the several companies raising by their order in their state, that the recruiting service may be expedited, and the men, when raised, properly trained.

*Resolved*, That Richard Stringer be appointed a signer of the continental bills of credit, in addition to those already appointed.

*Resolved*, That Angus M'Donald, one of the North-Carolina prisoners, be admitted to his parole, upon taking an oath, after the mode observed in that part of Great-Britain, called Scotland, in administering oaths, that he will observe the same:

That Mr. Middleton be empowered to take his parole, and administer the oath.

On application of colonel Macgruder for the directions of Congress,

*Resolved*, That the two companies of his battalion, which have already marched, be directed to join the army under general Washington, and that any other companies of his battalion, consisting of not less than 36 privates, under the command of two commissioned officers, be also marched, as soon as possible, and that a field-officer take the command of every four companies.

*Resolved*, That it be recommended to the council of safety of Maryland, to request the militia of Hartford, Baltimore, Cæcil, and such other counties of their state as they shall think proper, to march, as soon as possible, to reinforce general Washington, giving directions that each company consist of not less than 36 privates, under the command of two commissioned officers, and that a field-officer take the command of every four companies.

The committee of treasury reported, that they have had under consideration, the requisition of captain William Blackwell, for a sum of money to be advanced him, for the bounty and subsistence of his company in a Virginia regiment, under the command of colonel Rawlins, and that there should be advanced to the said colonel Rawlins, he to be accountable, the sum of 1477.85 dollars, and that the sum be delivered to the said captain Blackwell for the purposes aforesaid:

*Ordered*, That the said sum be advanced.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, January 22, 1777.

A letter, of the 17th, from the committee of Congress at Philadelphia, was read:

*Resolved*, That 200,000 dollars be sent to the committee of Congress, in Philadelphia, for public service.

A letter, of the 13th, from general Washington, enclosing copies of letters to lord and general Howe;

One, of the 17th, from the council of safety of Pennsylvania, with sundry papers enclosed, were laid before Congress, and read:

*Ordered*, That the same, and also the letter from the committee of Congress, at Philadelphia, be referred to a committee of three:

The members chosen, Mr. Wolcott, Mr. S. Adams, and Mr. Gerry.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That a company be immediately raised on the new establishment in the state of Pennsylvania, to be stationed at and near Kittanning, to guard the public buildings and stores, and to protect the frontier inhabitants from the incursions of the Indians:

That Samuel Morehead be appointed captain of the said company; Andrew Macfarlane, first-lieutenant; William Jack, second-lieutenant; and, John Carnaghan, ensign:

That 1400 dollars be advanced to captain Morehead, to enable him to recruit the said company ; he to be accountable :

That Thomas Butler be appointed public armourer, and that he immediately repair to the city of Philadelphia, to superintend the said business, agreeably to the resolve of the 19th of November :

That he be allowed 3 dollars a day for his pay and expenses.

*Resolved*, That the allowance for subsistence of recruits while in quarters, till they join their respective regiments, and be supplied with rations, be raised to 1  $\frac{1}{2}$  dollar per week.

A petition from Bartholomew Burke and Hamilton Ballantine was presented to Congress, and read :

*Ordered*, That it be referred to the board of war.

The committee on impressing carriages, brought in a report, which was taken into consideration ; and, after debate,

*Ordered*, That it be re-committed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, January 23, 1777.

The marine committee having recommended captain Fulford to take the command of the armed brig Lexington,

*Resolved*, That he be appointed to take the command of the said armed brig Lexington.

*Resolved*, That two frigates, one of 36, and the other of 28 guns, be immediately built in the state of Connecticut.

*Resolved*, That 2000 dollars be advanced to Mr. Jonathan Hudson, for the public service ; he to be accountable.

*Resolved*, That 41,640 dollars, be advanced to col. George Baylor, for the purpose of purchasing horses and paying the bounty of men for the regiment of cavalry he is ordered to raise, and that the same be paid to major A. Clough, and charged to col. Baylor, who is to be accountable.

The committee appointed to examine the files, &c. brought in a report, which was read :

*Ordered*, To lie on the table.

A letter, of the 30th of December, from the general assembly of Massachusetts-Bay, with sundry papers enclosed, was read.

Mr. Leonard Jarvis, whom John Bradford, esq. agent for the United States in Massachusetts-Bay, has appointed an agent at Dartmouth, and who had the possession and charge of the continental stores imported in the Hancock & Adams, having, by a letter of the 13th of December last, informed the secret committee, that at the recommendation of the general court of Massachusetts-Bay, he has delivered out part of the arms to the militia who were called to stop the progress of the British troops, the arms to be returned when called for : and, by a letter of the 14th of December last, having farther informed the said committee, that in consequence of a vote of the general committee of the state of Rhode-Island, and of a letter from gov. Cooke and Daniel Tillinghast, esq. he has delivered to Mr. Fry, for the said Daniel Tillinghast, esq. agent at Providence, six tons of lead, six casks of flints, 48 chests of arms, and 260 barrels of gun-powder ; thereupon,

*Ordered*, That the secret committee write to the agent at Dartmouth, and inform him, they can, by no means, authorize their agents to deliver stores in their custody, except by orders of Congress, or persons by them authorized ; but, that extreme necessity for arms and stores existing in the opinion of the general committee of the state of Rhode-Island, then invaded by a formidable army, may hold him excused for the arms and stores he delivered to that state, at their urgent request ; and that he may also be excused

for the delivery of arms to the militia of the state of Massachusetts-Bay, in consequence of the recommendation of the general-court of that state; that, at the same time, they direct their agent to procure a return of them as soon as circumstances will admit.

The board of war, to whom a petition from Monsieur Pillesier was referred, brought in a report; Whereupon,

*Resolved*, That the said petition be referred to general Washington.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

FRIDAY, January 24, 1777.

A letter, of the 17th inst. from John M'Kinley, esq. speaker of the assembly of the state of Delaware, with sundry resolves of that assembly, was read:

*Ordered*, That the same be referred to the committee of Congress, at Philadelphia.

John Taylor, esq. being appointed a major in col. Hazen's regiment,

*Resolved*, That a commission be granted to him, and that the same be dated the 13th of November, 1776.

*Resolved*, That 1000 dollars be paid to major John Taylor, for the purpose of raising recruits for the regiment in which he is a major, and that the same be charged to the account of col. Moses Hazen, this being in full of an order drawn by lieut. col. Edward Antil, of col. Hazen's regiment, in favour of the said John Taylor, dated January 20, 1777.

The Congress resolved itself into a committee of the whole, to take into consideration the state of the treasury, &c. and after some time, the president resumed the chair, and Mr. Nelson reported, that the committee have had under consideration the matters to them referred, but have as yet come to no resolution thereon:

There being no delegates in attendance from the state of Delaware, and one only from the state of New-York, who, according to the instructions given by that state to their delegates, is not empowered to give a vote:

*Ordered*, That Mr. President write to the states of New-York and Delaware, requesting them immediately to send to Congress a representation of their respective states, and to provide, that for the future, applications of this sort may be rendered unnecessary.

Whereas by a resolve of Congress of the 5th of November last, all accounts for services done, or articles supplied to the armies of the United States in New-York and New-Jersey, and in the northern department, are to be presented to the commissioners of accounts for the respective armies; and so much thereof, as is approved by them, and confirmed by the respective generals, is ordered to be paid by their warrants on the pay-master, after the said commissioners have certified thereon, that the accounts and vouchers are returned to them by the persons receiving such warrants; and, whereas, it may frequently happen, that the absence or engagements of the generals aforesaid, may occasion a delay in ordering the payment of such accounts, whereby individuals, having demands against the United States, may suffer inconveniences; it is, therefore,

*Resolved*, That the commander in chief in each department be empowered, when absence or hurry of business shall prevent his revising the accounts passed by the commissioners, to direct the pay-master to discharge such accounts, upon certificates from the commissioners; observing to order the pay-master, when circumstances will permit, to lay the accounts and certificates before him, for his approbation, and to return them to the commissioners to be filed in their office.

*Resolved*, That if general Schuyler and general Gates be both absent from the northern department at the same time, that the pay-master there shall

receive this resolution, the said pay-master be empowered and directed to discharge accounts upon the certificates of the commissioners, during such absence; and upon the return of either of the said officers, to lay the accounts and certificates before him for his approbation.

The committee to whom was referred the letter from the council of safety of Pennsylvania, with the papers therein enclosed, brought in a report, which was taken into consideration; whereupon, Congress came to the following resolution:

Whereas Congress are informed that certain tribes of Indians, living in the back parts of the country, near the waters of the Susquehanna, who are within the confederacy, and under the protection of the Six Nations, the friends and allies of these United States, are, upon motives friendly and peaceable, now on their way to Easton, in the state of Pennsylvania; and whereas, such may be the poor and necessitous circumstances of these Indians, as to demand the attention of Congress; it is therefore,

*Resolved*, That the committee of Congress at Philadelphia, deliver to George Walton and George Taylor, esqrs. or to either of them, 1000 dollars; who are directed to purchase therewith, such presents as may be suitable for the said Indians: and that one or both of them forthwith repair to Easton, and, in the name of this Congress, inform the said Indians, that although, in the opinion of Congress, it is altogether improper for them to kindle a council-fire at that place, as they have already done the same at Albany, where, by their commissioners, they hold their councils, and communicate every matter of importance to their good friends the Six Nations, and their allies, of which these tribes are a part, yet, in regard to the good and peaceable conduct of these nations, and in consideration of their wants, which this Congress are much inclined to relieve, and also in token of their friendship for them, as well as for all other Indians, who are at peace with these states, they, the said George Walton and George Taylor, esqrs. are directed to deliver these presents to them; and they are, at the same time, to signify to the said Indians, that this Congress have an entire confidence, that the same peaceable and friendly conduct will be observed by them, which they have hitherto regarded.

*Ordered*, That the said Messrs. Walton and Taylor be furnished with a copy of the foregoing resolution for their direction.

*Resolved*, That the pay of the commissary of military stores, to be appointed to take charge and care of the continental stores in Maryland, be 40 dollars per month:

That the delegates of Maryland direct the quarter-master to look out for a proper house, wherein to deposit the powder, now in this town, belonging to the continent; and that they desire the captain of the guard to see that a trusty guard be kept over the powder.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

**MONDAY, January 27, 1777.**

Congress met, and adjourned to ten o'clock to-morrow.

**TUESDAY, January 28, 1777.**

The delegates of Maryland having reported, that they have provided a suitable house in the country for the reception of the public powder,

*Resolved*, That the said delegates be requested and empowered to agree with a captain, and a proper number of men, to guard the said powder when removed.

*Ordered*, That the board of war send forward from this town to general Schuyler, with all possible expedition, twenty tons of cannon-powder and ten tons of pistol-powder.

A number of letters and papers were laid before Congress and read, viz. a letter of the 21st inst. from the committee of Congress, at Philadelphia; one, of the 17th, from general Washington, at Morristown; one, of the 19th, from general Putnam, at Princeton, to lord Stirling; one of the 22d, one of the 23d, and one of the 25th, from the committee of Congress, at Philadelphia; one, of the 18th, and one, of the 20th, from general Washington, at Morristown; one, of the 13th and 15th, from general Schuyler, at Fish-kill, enclosing a letter, of the 3d, to him from governor Trumbull; one, of the 22d, and one, of the 26th, from the council of safety of Maryland; one, of the 6th, from Joseph Trumbull, esq. at Hartford; one, of the 18th, from Ebenezer Hancock, esq. one, of the 12th, from governor Trumbull, with a copy of the minutes of a committee appointed by the four New-England states, who met at Providence, on Wednesday, 25th of December, 1776, and sat by adjournments to the 2d of January, 1777; one, of the 13th, from the council of Massachusetts-Bay; one, of the 24th, from lieutenant-colonel Kirmovan; one, of the 15th, from brigadier De Roche Fermoy; and sundry letters from French officers:

*Ordered*, That the letters from brigadier De Roche Fermoy, and from the other French officers, be referred to general Washington, to do therein what he shall think the good of the service requires, without considering this reference as a recommendation in favor of any of the gentlemen applying:

That the letter from lieutenant-colonel Kirmovan be also referred to general Washington.

A letter, of the 12th, from the committee of Frederick county, Maryland, and sundry papers enclosed, were read.

A letter from Mr. Bingham, at Martinique, and sundry papers enclosed, were read:

*Ordered*, That a copy of the enclosed papers be delivered to the delegates of Maryland, to be laid before the assembly of their state; and that the letter and papers be referred to a committee of three;

The members chosen, Mr. Wilson, Mr. Chase, and Mr. R. H. Lee.

Another letter, from Mr. Bingham, recommending Mons. Celeron to the notice of Congress, was read, and ordered to be referred to general Washington.

*Resolved*, That Friday next be assigned for taking into consideration the letters from the state of Massachusetts-Bay, and governor Trumbull, and the minutes of the proceedings of the committee of the four New-England states.

*Resolved*, That the committee of Congress at Philadelphia, be informed, that Congress, from the committee's state of things, do not discern the necessity of moving the public stores from that city; but if any circumstances should hereafter arise, to render such removal proper, Congress desire the committee may do therein what they shall think most conducive to the public service.

*Ordered*, That the letter from general Schuyler be referred to the committee on the affairs of the northern department.

The secret committee informed Congress, that the brig Olive-Branch, William Bayley, master, was, by the procurement of Francis Lewis, laden at New York with 718 barrels of flour, on account of the United States, as will appear by the bill of lading, signed 26th February, 1776, directed to be delivered to Mr. Samuel Carson, at St. Eustatia; that captain Bayley, contrary to his orders, proceeded to Occoys, on the island of Hispaniola, and there put the cargo into the hands of Mons. Croix, who, by several letters, informed Mr. Carson that he should remit said Carson the proceeds of the flour to St. Eustatia; and, in a letter from said Carson, dated St. Eustatia, 50th November, 1776, is the following paragraph:—"I have not received



one farthing on account of the brig Olive-Branch's cargo, and God knows when I will;" that captain Bayley, after landing the flour at Occoys, made a voyage for Mons. St. Croix, to France, and back to Occoys, where the said St. Croix loaded the brig, and proceeded with her to this port, where they both are at this time, with the vessel, re-laden with provisions, &c. and ready to depart for Occoys; that captain Bayley pretends he has sold the brig to Mons. St. Croix, and has taken his single promissory note for payment; but, it is obvious, they have been jointly trading on the public's capital, and defrauding both the public and the owners of the brig; that, with the proceeds of the cargo sold here, they have re-laden the brig with provisions, &c. and have a residue of £2500 cash in their hands:

*Resolved*, That this matter be referred to the secret committee who are empowered to do therein what they shall judge to be just and right, and conduce to the public interest.

*Resolved*, That a committee of three be appointed to take into consideration the state of Georgia:

The members chosen, Mr. Wolcott, Mr. R. H. Lee, and Mr. Clark.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, January 29, 1777.

A letter of the 26th, from the committee of Congress, at Philadelphia; one, of the 22d, from general Washington, at Morristown; and one, of the 25th, from general Mifflin, at Philadelphia, were read:

*Ordered*, That the letter from general Washington be referred to the committee of intelligence, to publish such parts as they may think proper; and that they deliver it to the board of war, who are directed to report thereon:

*Resolved*, That 80 dollars be advanced to Monsieur Celeron, to bear his expenses to general Washington.

*Resolved*, That the treasurer be directed to desire such of the signers of continental money, belonging to this state, as have diligently applied themselves to this business (excepting such as may be field officers of the militia) to exert themselves in supplying the treasury: and that he transmit a list of their names, and of the names of the superintendents of the press, to the council of safety of Maryland, who are requested to excuse them from military duty, while thus employed by Congress.

*Resolved*, That Mr. Wilson be added to the committee on the memorial of colonel Campbell, in the room of Mr. Ross, who is absent.

*Resolved*, That the president inform the governor and council of Virginia, that Congress have not a sufficient certainty, that it will be in their power to arm the 2d and 7th battalions ordered from that state; and, therefore, request the said governor and council, to send, with all despatch, the arms belonging to the said battalions, if it can be done consistently with the safety of their state.

Congress took into consideration the report of the committee for Indian affairs, to whom was referred a letter from the commissioners of Indian affairs in the middle department, dated the 21st of September last, at Pittsburg: Whereupon,

*Resolved*, That the commissioners for Indian affairs in the middle department, from the intelligence communicated to them, of the motions and preparations of some tribes of Indians, and from the dispositions of others, well known to be hostile, had cause to apprehend that an attack upon Pittsburg, or invasions into some parts of Virginia, or Pennsylvania, would be made by those savages, and therefore, acted prudently in calling in forces for protection and defence.

The committee of treasury reported, that there is due to Thomas Smith, for sundry provisions, wood, &c. supplied the sick, and other continental troops at Wilmington, 1316.55 dollars :

To Monsieur Lotbinier, a Canadian chaplain, for his pay and rations from the 10th of November, 1776, to the 10th of January, 1777, 82.60 dollars, to be paid to colonel Smith :

That there should be advanced to William Sterret, on account of his expenses in going to and from the paper-mill in Pennsylvania, to attend the making of paper for the loan-office certificates, 30 dollars, he to be accountable.

*Ordered*, That these sums be paid.

*Resolved*, That John Griffiths provide the sick in the hospital at Baltimore, with shirts and blankets ; and that, for this purpose, he apply to the secret committee.

A petition from a number of the inhabitants of Westmoreland, and a letter from Thomas Cressap, were read, and referred to the committee on Indian affairs.

*Resolved*, That the treasurer of the United States be directed to give order for the payment of 33,333.30 dollars to the state of Connecticut, out of the continental loan-office in that state, in payment of an equal sum advanced by governor Trumbull to colonel Sheldon, at the request of general Washington, for raising and equipping a regiment of light-horse ; the said state to be accountable ; and that the president acquaint general Washington with this resolution.

*Resolved*, That 450,000 dollars be advanced to general Mifflin for the public service ; and that the treasurer be directed to give an order on the loan-office, in the state of Pennsylvania, for the payment of that sum.

*Resolved*, That Dr. Mackenzie, who has the care of the sick in the hospital in Baltimore, be empowered to appoint a mate to assist him.

A letter from Carpenter Wharton was read, applying for an advance of a large sum of money : Whereupon,

*Resolved*, That the president inform Joseph Trumbull, esq. commissary-general, that there are various complaints against the conduct of Mr. Carpenter Wharton, his deputy ; and desire him to enquire into the matter, and take such steps as he shall judge proper to prevent any loss accruing to himself or the public.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, January 30, 1777.

The delegates from New-Hampshire produced credentials of their appointment, which were read as follows :

“ NEW-HAMPSHIRE. IN THE HOUSE OF REPRESENTATIVES, Dec. 24, 1776.

“ *Voted*, That colonel William Whipple, colonel Josiah Bartlett, and colonel Matthew Thornton, be, and they hereby are, elected and appointed delegates to represent the state of New-Hampshire in the Continental Congress, for the term of one year, from the 23d day of Jan. next ; and that any one of them, in the absence of the others, have full power to represent this state ; and that no more than two of them attend at one time. Sent up for concurrence :

JOHN LANGDON, *Speaker*.

“ *In Council*, Dec. 25, 1776. Read and concurred ;

“ EBEN. THOMPSON, *Secretary*.  
EBEN. THOMPSON, *Secretary*.”

“ Copy examined by

Mr. Mann Page, a delegate from Virginia, attended, and produced the credentials of his appointment, which were read as follows :

**" VIRGINIA, ss. IN THE HOUSE OF DELEGATES, December 4, 1776.**

The house proceeded by ballot to the appointment of a delegate to represent this state in general Congress; and, the members having prepared tickets for the person to be appointed, and put the same into the ballot box, Mr. Jefferson, Mr. Curle, Mr. Tazewell, and Mr. Prentis, were appointed a committee to meet a committee to be appointed by the senate, and, jointly with them, to examine the ballot boxes, and report to the house upon whom the majority fell.

*Ordered*, That Mr. Jefferson acquaint the senate therewith.

The committee then withdrew, and after some time, returned to the house, and reported, that they had met a committee from the senate, in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favor of Mann Page, junior, of Spottsylvania, esq.

*Resolved, therefore*, That the said Mann Page, esq. be appointed a delegate to represent this state in general Congress, in the room of George Wythe, esq. who is nevertheless empowered to continue to act in Congress until the said Mann Page shall take his seat therein.

A copy:

JOHN TAZEWELL, C. H. D.

**IN THE SENATE, December 4, 1776.**

The house proceeded, by joint ballot with the house of delegates, to the choice of a delegate to represent this state in general Congress, in the room of George Wythe, esq. and the members having prepared their tickets, and deposited the same in the ballot box, Mr. Bland, Mr. Lewis, and Mr. Cabell, were appointed a committee to meet the committee from the house of delegates, in the conference chamber, and, in conjunction with them, to examine the joint ballots, and report the state thereof to the house; and, having made their report, it appears, that Mann Page, jun. esq. of Mansfield, hath the greatest number of votes on the ballot:

*Resolved, thereupon*, That the said Mann Page, jun. esq. of Mansfield, be appointed a delegate to represent this state in general Congress, in the room of George Wythe, esq.

A message from the house of delegates, by Mr. Jefferson, that they have come to a resolution, authorizing George Wythe, esq. to retain his seat in Congress, until Mann Page, jun. esq. shall take his seat therein, to which they desire the concurrence of the senate, and he delivered the same, and then withdrew:

And the said resolution being read,

*Resolved*, That the senate do concur with the house of delegates therein, and that Mr. Holt acquaint them therewith.

A copy from the journals:

JOHN PENDLETON, C. S."

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the Rev. Samuel Kirkland be allowed the salary of 444 dollars for the current year, to commence from the 11th day of November last, as missionary to the Indians; and that the sum of 300 dollars be paid him as a compensation for his extra services and expenses as chaplain and interpreter:

That the salary of Mr. James Deane, Indian interpreter, be increased to 500 dollars for the current year, to commence the 23d November last:

That the pay of Thomas Spencer, blacksmith among the Indians, mentioned in gen. Schuyler's letter of the 7th inst. be referred to the commissioners of Indian affairs in the northern department, who are to make such addition thereto, as they shall think proper:

That the salary of Mr. Commissary Aylett and Jonathan Trumbull, esq.



deputy pay-master general of the northern department, be augmented to the sum of 75 dollars per month each :

That 200 dollars be paid to Josiah Throop, for his trouble and expense in bringing intelligence of a public nature, relative to the affairs of Nova-Scotia, and for other services.

*Resolved*, That Congress will, on Saturday next, take into consideration the most speedy and effectual means to furnish the new levies with arms.

*Resolved*, That a standing committee, to consist of five members, be appointed to hear and determine upon appeals brought against sentences passed on libels in the courts of admiralty in the respective states, agreeable to the resolutions of Congress; and that the several appeals, when lodged with the secretary, be by him delivered to them for their final determination :

The members chosen, Mr. Wilson, Mr. Sergeant, Mr. Ellery, Mr. Chase, and Mr. Sherman.

*Resolved*, That 300,000 dollars be sent to Jonathan Trumbull, esq. deputy pay-master general of the northern department :

That 800 dollars be advanced to the delegates of Virginia, for the use of B. Harrison, esq. deputy pay-master general in the southern department; who is to be accountable :

*Resolved*, That 166,666 60 dollars be advanced to the state of Massachusetts-bay, by the continental treasurer's order on the loan-office in that state for the said sum, the said state to be accountable.

The committee to whom the report on impressing carriages, was re-committed, brought in another report, which was taken into consideration ; and, after debate,

*Resolved*, That the same be re-committed, and that three members be added to the committee :

The members chosen, Mr. Chase, Mr. Sherman, and Mr. Wilson.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, January 31, 1777:

Congress being informed that general Armstrong is come to town, with a design to lay before them some matters of consequence :

*Ordered*, That the board of war confer with him, and that they meet him this evening at their office.

*Resolved*, That Samuel Stringer Coale, and Rinaldo Johnson, be appointed signers of the bills of credit, in addition to those already appointed.

A petition from John Darrel, and Luther Martin, was read, setting forth, that the appeal against the decree on the libel Job Pierce, &c. against the brig Phoenix, has, by mistake, been heard and determined by a different committee from that appointed to hear the same, and praying that the judgment may be set aside, and a new hearing granted ; Whereupon,

*Resolved*, That the judgment passed on this appeal be set aside for the reason above-mentioned ; and that the hearing and determining the said appeal be referred to the standing committee of appeals.

A petition and remonstrance from a number of inhabitants of Somerset and Worcester counties, in the state of Maryland, was read :

*Ordered*, That the same be referred to a committee of three :

The members chosen, Mr. S. Adams, Mr. Wilson, and Mr. R. H. Lee.

*Resolved*, That a committee of four be appointed to consider what honors are due to the memory of the late general Warren, who fell in the battle of Bunker's-Hill, the 17th of June, 1775 ; and of general Mercer, who died on the 12th instant, of the wounds he received on the 3d of the same month, in fighting against the enemies of American liberty, near Princeton :

The members chosen, Mr. Rush, Mr. Heyward, Mr. Page, and Mr. S. Adams.

A memorial from Nathaniel Rumsey, late a captain in the first battalion of Maryland regulars, was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered* That the secret committee send no more of the scarlet cloth, in their possession, to Virginia, than will be sufficient for facing of the clothes ordered for the Virginia troops.

¶ The delegates of Pennsylvania, having recommended Jacob Weaver for captain, Edward Cowan for first-lieutenant, William Feltman for second-lieutenant, and Andrew Bachenstore for ensign, of the company of infantry, ordered to be raised on the 18th instant :

*Resolved*, That commissions be granted to them accordingly.

*Resolved*, That 1400 dollars be advanced to captain Jacob Weaver, for the purpose of raising his company ; he to be accountable.

Congress resolved itself into a committee of the whole, to take into consideration the letter of the 12th from governor Trumbull, and the minutes of the committees from the four New-England states ; and, after some time spent thereon, the president resumed the chair, and Mr. F. L. Lee reported from the committee, that they have had under consideration the matters to them referred, but not having come to a conclusion, desired leave to sit again :

*Resolved*, That Congress will, to-morrow, resolve itself into a committee of the whole, to consider farther the letter from gov. Trumbull, and the proceedings of the committees from the four New-England states.

*Ordered*, That the secret committee deliver to colonel Gist, of Maryland, 1500 yards of linen, or as much as will be sufficient for 600 soldiers' shirts, for the use of the soldiers of his battalion.

The committee of treasury reported, that there is due,

To Dr. Samuel Mackenzie, for sundry medicines purchased by him for the use of the hospital in Baltimore, 86.74 dollars :

To Dr. John Hindman, for sundry medicines supplied by him for the use of col. Richardson's battalion of Maryland forces, 20.6 dollars :

To captain Henry Dearborn, for fire-arms belonging to the privates of his company, and which were lost at the attack of Quebec, and for his extraordinary services, 260.60 dollars :

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, *February* 1, 1777.

A letter, of the 28th January, from James Scott, captain of a company of volunteer-militia from Fauquier county, in Virginia, was read, wherein he informs Congress, that he has raised a volunteer company, consisting of a captain, 2 lieutenants, an ensign, 4 serjeants, 4 corporals, a drum, a fife, and 64 privates, to serve where ordered, 3 months from the time of their march, and desires orders and one month's advance :

*Resolved*, That captain Scott, with his company, be taken into continental pay on the terms proposed :

That 700 dollars be advanced to captain James Scott, for the use of the said company ; captain Scott to be accountable :

That the board of war direct captain Scott to march immediately with his company and join general Washington.

The committee to whom was referred the petition and remonstrance from the inhabitants of Somerset and Worcester counties, in the state of Maryland, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the said petition and remonstrance, with the depositions accompanying the same, be forthwith transmitted to the general assembly of the state of Maryland :

That the said general assembly be earnestly requested to send a sufficient number of their artillery and militia, effectually to suppress the tories in the counties of Somerset and Worcester, and to seize and secure the persons mentioned in a list to be transmitted with these resolves, and all others in the said counties who shall appear to have been the leaders of the tory faction there:

That it be recommended to the general assembly, aforesaid, to direct, that a day be given to all the inhabitants of the said counties, to assemble at appointed places. and take the oath of allegiance required by the said state, and that all who shall refuse or neglect so to do, be disarmed:

That general Smallwood be, and he is hereby, required to assist in executing the orders of the said assembly for the purpose aforesaid;

That this Congress will afford one battalion, or more, if requested by the said assembly, for the said purpose:

That the said assembly be requested to cause all offenders, as aforesaid, to be brought to immediate trial, agreeably to the laws of the said state.

*Ordered*, That the president write to general Smallwood, and inform him, it is the direction of Congress, that he call to his assistance any continental officers and troops he shall think proper.

*Resolved*, That St. George Peale be appointed a signer of the bills of credit, in addition to those already appointed.

Congress proceeded to the election of a commissary of military-stores, in Maryland, and, the ballots being taken,

Mr. Saint George Peale was elected.

The committee on the northern department, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Congress approve of general Schuyler's proposal of purchasing the clothing and arms of a troop of horse formerly raised in Shenectady, mentioned in his letter of the 13th of January:

That the pay-master in the northern department be directed to render a particular account to Congress of the sums of money that have been paid into his hands in specie, and of his expenditure of the same.

*Resolved*, That the second paragraph of the report be postponed for farther consideration.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Tuesday next.

#### TUESDAY, *February 4*, 1777.

Mr. John Adams and Mr. Lovell, delegates from Massachusetts-Bay, attended, and took their seats.

Mr. Burke, a delegate from North-Carolina, attended, and produced the credentials of his appointment, which were read as follows:

"NORTH CAROLINA. IN CONGRESS, *December 20*, 1776.

"*Resolved*, That William Hooper, Joseph Hewes, and Thomas Burke, esqrs. be, and they are hereby, appointed delegates to attend the Congress of the United States of America, in behalf of this state, until such time as the general assembly shall direct otherwise; and they are invested with such powers as may make any act done by them, or any of them, or consent given in the said Congress, in behalf of this state, obligatory upon every inhabitant thereof.

"By order,

CORNELIUS HARNET, *President*.  
JAMES GREEN, jun. *Secretary*."

A letter, of the 30th of January, from the committee of Congress, at Philadelphia; one, of the 26th of the same month, from general Washington, at Morristown; and one, of the 21st, from Daniel Joy, at Philadelphia, to the committee of Congress, were read.

A letter, of the 23d of December, from Cornelius Harnet, president of the convention of the state of North-Carolina, together with a memorial from the said convention, and a deposition of Emperor Mosely, respecting the capture of the brig Joseph, by the schooner Eagle, Brasilla Smith, commander, and an invoice of the cargo on board the said brig, at the time of the capture, were laid before Congress, and read :

*Ordered*, That they be referred to a committee of three ; and that the letters on this subject, formerly committed to the marine committee, be referred to this committee :

The members chosen, Mr. Wilson, Mr. Hall, and Mr. Sergeant.

A letter, of the 3d, from the council of safety of Maryland, was read.

*Resolved*, That Joseph Gaither be appointed a signer of the bills of credit, in addition to those already appointed.

*Ordered*, That the letters from the committee of Congress, general Washington, and Daniel Joy, be referred to the board of war.

A memorial from Dr. Thomas Young was read :

*Ordered*, That it be referred to the medical committee.

A memorial from Nathaniel Donnel was read :

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That it be recommended to the council of safety of Maryland, to cause the tories in the counties of Somerset and Worcester to be disarmed as quickly as possible ; and the provisions to be removed from those counties, that have been collected there for public use.

The committee on the state of Georgia, brought in a report, which was read.

*Resolved*, That Mr. Burke, of Jamaica, who has applied to Congress to be taken into the service of the United States, be referred to general Washington :

*Resolved*, That Dr. Burke be added to the medical committee ; and that he be appointed a member of the marine committee, in the room of Mr. Hooper.

*Ordered*, That Mr. Hooper have leave to return home.

Congress resolved itself into a committee of the whole, to take into consideration the letter from governor Trumbull, and the proceedings of the committees from the four New-England states, and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the matters to them referred, but, not having come to a conclusion, desired leave to sit again :

*Resolved*, That Congress will, to-morrow, resolve itself into a committee of the whole, to consider farther the letter from governor Trumbull, and the proceedings of the committees from the four New-England states.

A letter, of the 1st, from the committee of Congress, at Philadelphia, was read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, February 5, 1777.

A letter, of the 2d, from the committee of Congress at Philadelphia, was read ; also, a resolution entered into by the officers of the Baltimore town battalion, was laid before Congress :

*Ordered*, That it be referred to the board of war.

A letter from general Putnam, with a number of papers enclosed, and a letter from the North-Carolina prisoners, were read :

*Ordered*, That they be referred to the board of war.

*Resolved*, That Mr. Hudson, the pay-master in Baltimore, be directed to settle with colonel Gist, and pay such of his men, as are enlisted to serve three years, or during the war, up to the 10th of this month, and also to pay

the Virginia troops on their march to general Washington, the arrearages of pay due to them; and that he transmit an account of what he pays to the pay-master general, in order to regulate the future pay of the said troops.

*Resolved*, That 20,000 dollars be advanced to Mr. Jonathan Hudson, for the public service; he to be accountable.

A letter from Henricus Godet, of Eustatia, was read:

*Ordered*, That it be referred to the secret committee, and that they return an answer.

A memorial of Gottleib Klose, a native of Silesia, and late a missionary from the United Brethren to the negroes, in the island of Jamaica, was read; setting forth, that he was taken on his passage to Bristol, in the snow Thomas, T. Nicholson, master, by the continental cruiser, Andrew Doria; and praying that his effects, consisting of the tools of his trade, and clothing, may be restored to him; Whereupon,

*Resolved*, That the prayer of the memorial be granted.

A petition from Edward Southouse was read:

*Ordered*, That it be referred to a committee of three:

The members chosen, Mr. J. Adams, Mr. Sherman, and Mr. Chase.

A petition from the shipwrights at Fell's-point, was read:

*Ordered*, To lie on the table.

*Resolved*, That a brigadier be appointed for the troops in North-Carolina, and that his rank be determined when the other general officers for the army are elected:

The ballots being taken, Francis Nash, esq. was elected.

The marine committee having recommended captain Henry Johnson to the command of the Lexington, in the room of captain Fulford, who, as they inform, has declined:

*Resolved*, That a commission be granted to him accordingly.

*Resolved*, That Elijah Bowen be appointed first-lieutenant of the said brig Lexington.

*Resolved*, That brigadier Moore be directed to detach into the different parts of North-Carolina, recruiting officers; and that he be careful to select such for that purpose, as are well acquainted and esteemed in that state:

And, in order to expedite this important purpose of recruiting the army,

*Resolved*, That brigadier Nash use his personal influence in the western parts of that state, and, by every means in his power, stimulate the inhabitants to enlist, and urge the recruiting officers to be active in their duty, as it is a matter of much importance to the common cause, that the six regiments, formerly raised in North-Carolina, should be filled up, and the three lately ordered, recruited to their full complement, before the 15th day of March next.

*Resolved*, That brigadiers Moore and Nash, proceed with the nine continental regiments, raised and directed to be raised in the state of North-Carolina, to join general Washington; and that they begin the march from South-Carolina, of such of the said nine regiments, as shall be then there, on the 15th day of March next, and of such continental troops as shall be in the state of North-Carolina, as soon as they shall be joined by the regiments which are ordered, as aforesaid, from South-Carolina. That the troops be marched by regiments or parts of regiments, as the commanding officer shall judge best.

*Resolved*, That the governor of the state of North-Carolina, and the executive powers of the several states, through which such troops shall march on their way to head-quarters, be requested to render them every assistance in their power, to expedite their progress:

That brigadier Moore be empowered to draw upon the deputy pay-master general of the southern department, for such sums of money as shall be necessary to procure supplies for the said troops, until they join the continental



army; and that all commissaries and quarter-masters in the continental service, who shall be in the states through which they pass, contribute their best endeavors to aid in carrying this resolve into execution, with all possible expedition.

The board of war, who were directed to confer with general Armstrong, reported, that they have had a conference with him; that the conference turned upon various and important subjects, relative to the raising the new army, supplying them with arms, ammunition, clothing, provisions, and medicines:

*Ordered*, That the board of war digest the said conference, and bring in a proper report on the several matters mentioned, saving what relates to medicines.

*Resolved*, That the medical committee be empowered to employ a suitable person in each of the states, to purchase such medicines as they shall direct, for the use of the army, which can be procured at any reasonable rates.

*Ordered*, That the said committee enquire what has become of the medicines which Dr. Morgan took from Boston, and which Dr. Stringer bought for the northern army, and take measures to have them secured, and applied to the use of the army.

*Resolved*, That three members be added to the committee on Indian affairs: The members chosen, Mr. Page, Mr. Lovell, and Mr. Burke.

*Resolved*, That Mr. Thomas Cummings be appointed and empowered to supply the continental troops, in the state of Maryland, with rations, on the most reasonable terms he can, till the farther orders of Congress.

*Resolved*, That William Aylett, esq. deputy commissary-general, be directed forthwith to purchase, with as much secrecy as possible, and lay up in proper magazines, convenient to water-carriage, under the care and management of trusty store-keepers, a quantity of good merchantable Indian-corn, not exceeding 10,000 barrels.

*Resolved*, That 500,000 dollars be advanced to the state of North-Carolina, upon a warrant from the governor of the said state for that sum, the said state to be accountable.

*Resolved*, That the commissioners at the court of France, be directed to use their utmost endeavors, to send, without delay, 80,000 blankets, 40,000 complete suits of clothes, for soldiers, of green, blue, and brown colours, with suitable facings, and cloth of the same colours, with trimmings, sufficient for 40,000 suits more, 100,000 pair of stockings, fit for soldiers, 1,000,000 of flints, and 200 tons of lead, in armed vessels, to such parts of the United States, as the secret committee shall direct; that they pledge the faith of the United States for complying with their contracts; that the several states be requested to order their armed vessels into the service of the United States, under the direction of the secret committee; that they be allowed a reasonable compensation for the use thereof, with the appraised value of such as may be lost; and that one of the new continental frigates, with the armed vessels which may be furnished by the respective states, be employed by the secret committee, to export produce, and import military stores for the next campaign.

*Resolved*, That a committee of three be appointed to consider the extraordinary service of the reverend Mr. Caldwell, of New-Jersey, and report what compensation should be made him:

The members chosen, Mr. Clark, Mr. Hall, and Mr. Page.

Congress resolved itself into a committee of the whole, to consider the letter from governor Trumbull, and the proceedings of the committees from the four New-England states; and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under

consideration the matters to them referred, and have come to a resolution thereon, which he was ordered to deliver, when Congress is ready to receive it:

*Ordered*, That it be now received.

The report from the committee of the whole Congress, being read,

*Ordered*, That the consideration thereof be postponed.

*Ordered*, That the proceedings of the committees from the four New-England states, which were under the consideration of the committee of the whole Congress, be referred to a committee of five:

The members chosen, Mr. R. H. Lee, Mr. Wilson, Mr. Chase, Mr. J. Adams, and Mr. Sherman.

*Resolved*, That the warrant of general Washington, for 5000 dollars, in favor of colonel Hartley, be paid and charged to the account of the pay-master general, and that an account thereof be transmitted to the said pay-master general.

*Resolved*, That the arrears of pay due to brigadier Armstrong's brigade-major, be paid and charged to the account of the pay-master general, and that he be informed thereof.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, February 6, 1777.

*Resolved*, That two members be added to the board of treasury:

The members chosen, Mr. Page, and Mr. Elmer.

A number of copies of the address from the convention of New-York, to their constituents, translated into the German language, were sent to Congress:

*Ordered*, That they be delivered to the board of war, who are directed to have them distributed.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That colonel H. Hollingsworth continue to supply the troops passing through the Head of Elk, with provisions at the usual rates.

A motion being made and seconded,

*Ordered*, That it be referred to a committee of five:

The members chosen, Mr. J. Adams, Mr. R. H. Lee, Mr. Sergeant, Mr. Sherman, and Mr. Heyward.

*Resolved*, That 1400 dollars be advanced to Mr. Robert Cummings, for public service; he to be accountable.

*Resolved*, That 6000 dollars be advanced to brigadier Smallwood, for the purpose of paying the arrearages due to his late battalion; he to be accountable.

*Ordered*, That the secret committee deliver to colonel Stone, for the use of his battalion, 1050 yards of linen and cloth, proper for facings for his soldiers' clothes.

Congress took into consideration the report of the committee on the state of Georgia; Whereupon,

*Resolved*, That a supply of arms and clothing for the continental battalions, in Georgia, ought to be furnished as expeditiously as possible:

And, as that state is in the neighborhood of numerous and powerful nations of Indians, it is an object of important consideration, to cultivate their friendship and secure peace with them; and this is rendered more necessary by the contiguity of those nations to the colonies of East and West-Florida, from whence the agents of the king of Great-Britain are perpetually stimulating the savages to make war upon the people of Georgia; therefore,

*Resolved*, That the secret committee be directed to procure, for the defence of Georgia, a supply of arms and clothing for the continental forces raised as the quota of that state, and that they also procure goods for car-

rying on the Indian trade to the amount of 10,000 dollars, in addition to the 20,000 dollars advanced by the secret committee, to Mr. Gwinnett, for that purpose, which goods may be delivered either at Charleston, in South-Carolina, or in Georgia, for the use of the continental Indian commissioners of the southern department, to be employed in securing the friendship of the southern Indians.

*Resolved*, That as soon as the artillery companies, already ordered to be raised in Georgia, are completed, an additional company of artillery be raised on the continental establishment for the state of Georgia, to consist of 1 captain, 2 lieutenants and 50 privates.

*Ordered*, That the board of war direct colonel Buchanan, whose battalion is under orders to march to general Washington, to proceed immediately with his battalion to Somerset and Worcester counties, to suppress the insurgents in those parts; and that the said board, hasten, with all expedition, the march of colonel Gist with his battalion.

The committee appointed to consider the proceedings of the committees from the four New-England states, brought in a report, which was read:

*Ordered*, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, February 7, 1777.

A letter, of the 6th, from the council of safety of Maryland, enclosing a deposition of William Patterson, was read.

*Resolved*, That the commanding officer of the 2d Virginia battalion, in Baltimore, be directed to proceed with the troops under his command, to Somerset and Worcester counties, on the Eastern-Shore, to assist in quelling, and bringing to justice, the insurgents in those parts; and having performed that business, to proceed immediately with his troops to general Washington.

*Ordered*, That the board of war supply the troops of the 2d Virginia battalion with arms and necessary accoutrements.

Mr. Buller Clairborne, Mr. Joseph Scott, and Mr. Spotswood Dandridge, who were appointed captains of the artillery battalion, ordered to be raised in Virginia, having declined that service, Congress proceeded to the election of three captains to supply their places; and, the ballots being taken,

Mr. Anthony Singleton, Mr. John Winster, and Mr. Jacob Walker, were elected.

*Resolved*, That an extract of governor Trumbull's letter of the 12th of January, so far as it relates to the pay of the Connecticut light-horse who served last campaign, be transmitted to general Washington, and that he be directed to settle their pay, and give orders for the payment.

*Resolved*, That 1100 dollars be advanced to the committee of secret correspondence for public service; they to be accountable.

*Resolved*, That Monday se'nnight be assigned for electing general officers.

*Resolved*, That Zachariah Maccubin be appointed a signer of the bills of credit, in addition to those already appointed.

Mr. Lux and Mr. Purviance, who were appointed by the board of war to examine the accounts of Thomas Nichols, having reported, that it appears by the treasurer's books, that the said Nichols received 533.30 dollars, and that he has paid 54.65 dollars, and that there is a balance of 478.55 dollars, due from him:

*Ordered*, That Mr. Lux and Mr. Purviance be requested to receive from the said Nichols, the said balance of 478.55 dollars.

*Ordered*, That the said Thomas Nichols, alias Dudley, who is in custody on suspicion of mal-practices, be confined till farther orders.

The committee of treasury reported, that there is due to Gerard Hopkins,



for six chairs and a pine-table for the use of the treasury-office, 24.60 dollars :

To Anthony Dearing, for the hire of his team 14 days in the service of the 2d Virginia battalion, on their march to join general Washington, 35 dollars :

To Francis Lewis, esq. for cash he paid ensign John Gassway, for the support of sick soldiers on the road, belonging to the battalion late colonel Smallwood's, 6 dollars :

To James Calhoun, esq. chairman of the committee of observation of Baltimore county, for cash he paid to Mr. James Buchanan, for the reward of £ 45, for taking up Alexander M'Leod, Daniel M'Leod, and Murdock M'Castle, three of the North-Carolina prisoners, who broke gaol, and for the expenses of bringing them from Broad-Creek, in Sussex county, to Baltimore, the sum of 215.52 dollars :

That they have examined the accounts of John Montgomery, and Jasper Yates, esqrs. commissioners of Indian affairs in the middle department, for the pay and part rations of the militia of West-Augusta county, in Virginia, and Westmoreland county, in Pennsylvania, who marched to Pittsburg previous to the late Indian treaty, for their services 21 days ; and Mr. Yates's expenses for that time, amounting to £ 1505 13 8. That the said commissioners expended on their return to Pittsburg, with the Indian chiefs who visited Congress at Philadelphia, £ 92 15 10, the whole amounting to £ 1598 9 6, of which they received on account of Indian expenses, the sum of £ 100 ; and that there remains a balance due to them of £ 1498 9 6, equal to 3995.84 dollars :

That there should be paid to the hon. Roger Sherman, esq. for the hire of Edward Whitmore's wagon, and two horses, taking seven Indians of the Penobscot tribe, from New-Haven to Marinec, £ 6 8, and for a horse belonging to John Pierpont, taken by the enemy in the above service £ 10, both sums making £ 16 8, lawful money of New-England, equal to 54.60 dollars :

That there is due to Robert Aitken, for paper, ink-stands, quills, sealing-wax, &c. for the use of the treasury-office, the sum of 87.41 dollars :

*Ordered*, That the said sums be paid.

*Resolved*, That two members be added to the committee for printing the journals :

The members chosen, Mr. Witherspoon and Mr. Lovell.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, February 8, 1777.

A letter, of the 4th, from the committee of Congress, at Philadelphia ; one, of the 31st of January, from general Washington, at Morristown ; one, of the 3d instant, from governor Livingston, at Haddonfield, New-Jersey ; one, of the 31st of January, from Messrs. Walton and Taylor, at Easton ; one, of the 23d of January, from general Schuyler, at Albany, with sundry papers enclosed ; and one, of the 24th of the same month, from D. Waterbury, were read :

*Ordered*, That they be referred to the board of war.

*Resolved*, That Dennis Griffith be appointed a signer of the bills of credit, in addition to those already appointed.

The committee of treasury reported, that they have examined the account of George Lindenberger, for conveying the Hessian officers and their servants, prisoners from Baltimore-town, to Dumfries, in Virginia ; and that his account amounts to the sum of £ 192 12 3, of which he received of the treasurer, £ 112 10, and that there is due to him, a balance of £ 49 11 9, equal to 132.21 dollars :

*Ordered*, That the said accounts be paid.

**Resolved**, That 12,600 dollars be paid to George Noarth, esq. and charged to the account of William Palfrey, esq. pay-master general, the same being in full of an order in his favour, drawn by the said William Palfrey, dated Newton, January 22, 1777.

**Resolved**, That 200,000 dollars be sent to the committee of Congress, in Philadelphia, for public service; they to be accountable.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

MONDAY, *February 10, 1777.*

A letter, of the 8th, from the council of safety of Maryland, with sundry papers enclosed, relating to the insurrection on the Eastern-Shore of Maryland; one, of the 3d, from Southy Simpson, of Accomac; and one, of the 11th of December last, from general Lee, at Morristown, were read:

**Ordered**, That the letter from Southy Simpson be referred to the board of war.

**Resolved**, That it be recommended to the council of safety of Maryland, to prevent the sailing of all provision vessels, while the enemy's ships of war infest the bay; as, there is the greatest reason to apprehend, they cannot avoid falling into the possession of the enemy.

**Resolved**, That 400 dollars be advanced to James Betton, towards defraying the expenses of carrying money to the eastern states, he to account with the state of New-Hampshire.

**Resolved**, That the committee of Baltimore be desired to send William Pigot, a prisoner, under a trusty guard, to the town of York, in Pennsylvania, and deliver him with this order, to the committee of York-Town, who are desired to have the said William Pigot safely and securely confined in prison till farther orders.

A petition from colonel Dugan was read:

**Ordered**, That it be referred to the board of treasury.

A petition from Timothy Folger was read:

**Ordered**, To lie on the table.

**Ordered**, That the board of war inform brigadier Smallwood, by letter, that Congress have ordered such a number of troops as they judge necessary, for suppressing the insurgents on the Eastern-Shore of Maryland, and direct him to order the officers, employed on the recruiting service, to apply themselves diligently to that business.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

TUESDAY, *February 11, 1777.*

A letter, of the 6th, from general Mifflin, was read; Whereupon,

**Resolved**, That 450,000 dollars be sent to gen. Mifflin, in lieu of a like sum ordered to be paid him by a draught on T. Smith, esq. commissioner of the loan-office, in the state of Pennsylvania; and that the board of treasury use their utmost endeavors in preparing and forwarding this sum.

**Resolved**, That a committee of seven be appointed to devise ways and means of supporting the credit of the continental currency, and supplying the treasury with money:

The members chosen, Mr. Harrison, Mr. Burke, Mr. Sherman, Mr. Chase, Mr. Ellery, Mr. Middleton, and Mr. Brownson.

**Resolved**, That James Franklin and William Gibson be appointed signers of the bills of credit, in addition to those already appointed.

**Resolved**, That four members be added to the salt-petre committee:

The members chosen, Mr. Page, Mr. Thornton, Mr. Elmer, and Mr. Burke.

The board of treasury, to whom the petition of col. Dugan was referred, brought in a report, which was taken into consideration;

the several states against the continent, and of such of the said states as have received public money in the eastern and middle departments.

*Resolved*, That James Walker, Horatio Johnson, and John Taylor, be appointed signers of the bills of credit, in addition to those already appointed.

*Resolved*, That 2000 dollars be paid to Benjamin Crocket, and charged to the account of colonel Moses Hazen, for the use of his battalion, the same being in full of an order of lieutenant colonel Edward Antil, in favour of the said B. Crocket, dated Wilmington, February, 1777.

*Resolved*, That 100,000 dollars be advanced to the council of safety of Pennsylvania for the recruiting service; the said state to be accountable.

The committee on promoting the manufacture of salt-petre, reported,

"That they have had a conference with Jacob Robsamen; from which it appears, that he has been very usefully employed for one year, next preceding the 25th of December past, in the state of Virginia, in the manufacture of salt-petre, and the instruction of all persons applying to him in the process of making salt-petre, under a contract for that purpose with this committee: that, in the execution of this business, he has received nothing more than his expenses; and that it is the opinion of the committee, that he is entitled to a farther reward;" Whereupon,

*Ordered*, That there be paid to the said Jacob Robsamen, the sum of 600 dollars, as a compensation for his extraordinary services in the prosecution of this important business,

The committee on Indian affairs, to whom a petition from divers inhabitants of the county of Westmoreland, in Pennsylvania, and a letter from Thomas Cressap, of Maryland, were referred, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That it would be improper and inexpedient to raise at present any more companies for the defence of the western frontiers, as there appears to be no immediate danger of an Indian war.

A letter, of the 12th, from the council of safety of Maryland, was read.

The committee to whom the memorial of colonel Campbell was referred, made a verbal report; Whereupon,

*Resolved*, That the commissioners for auditing accounts in the northern department, be directed to make enquiry concerning the loss of colonel Campbell's baggage, in the retreat of the army from Quebec, and to report to Congress a state of the facts and the evidence relating to them.

*Resolved*, That, colonel Campbell be continued in his former pay and rank; that he be directed to repair immediately to the commissioners for auditing and settling the accounts of the northern army, and settle with them the accounts of his late department.

*Resolved*, That a copy of general Lee's letter, respecting captain Gibson, be sent to general Washington, and that captain Gibson be recommended to the general for promotion in the army of the United States.

The committee of treasury reported,

That there is due to George M'Candles, for entertaining the Virginia light-horse on their march to join general Washington, 66.66 dollars:

To Jacob Myers, for entertaining the Virginia light-horse, on their march to join general Washington, and for wagonage, his extraordinary expenses and trouble, and taking care of the sick, 439.75 dollars:

To captain Henry Sheafe, for the pay of a guard of militia over the prisoners, from the 24th of December, to the 3d of February, 118.54 dollars:

To Robert Jewell, for maintaining prisoners in the new gaol of Philadelphia, and for the salary of himself and his two assistants, to the 24th of January, 766.79 dollars:

To John Griffith, for sundry supplies of provisions, wood, &c. in the guard-house and prison for prisoners, and for cash he paid for the support of Carolina prisoners in Baltimore, 301.15 dollars:

To John Gibson, esq. for cash he paid to Michael Watman, for the hire of his wagon, bringing paper for continental money from Philadelphia to Baltimore, \$8.6 dollars.

To Daniel Grant, for provisions, firing, &c. to a guard over the treasury, nine days, by order of the board of treasury at Baltimore, 22.26 dollars :

*Ordered*, That the said accounts be paid.

The committee on deserters, brought in a report, which was read.

Congress resumed the consideration of the report of the committee on the proceedings of the committees from the four New-England states ; and, after debate,

*Ordered*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *February 14, 1777.*

A memorial from Thomas Erwing, of Baltimore, was read :

*Ordered*, That it be referred to the secret committee.

The medical committee brought in a report, which was read :

*Ordered*, To lie on the table, and that the same be taken into consideration to-morrow.

*Resolved*, That Mr. R. T. Paine be empowered and directed to contract with colonel Gridley, for forty 8-inch iron howitzers, upon terms that he shall judge reasonable, and cause ten of them to be mounted, and sent to Tioonderoga.

*Ordered*, That the board of treasury direct the managers of the lottery, to send, with all expedition, tickets of the first class to the several states.

*Resolved*, That 500 dollars be advanced to captain Antoine Selin, towards raising major Ottendorf's corps, and that the same be charged to the account of major Ottendorf.

The board of war brought in a report, which was read :

*Ordered*, To lie on the table.

A letter, of the 5th, from general Washington, was read :

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the report of the committee on the proceedings of the committees from the four New-England states, and after debate,

*Ordered*, That it be re-committed.

*Ordered*, That Dr. Elmer have leave of absence, public business requiring his attendance at home.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, *February 15, 1777.*

A letter, of the 10th, from governor Henry, was read :

*Ordered*, That it be referred to the board of war.

*Ordered*, That the copy of general Howe's letter, which was enclosed in general Washington's letter of the 5th, be referred to the committee appointed to enquire into the conduct of the British and Hessian officers.

The committee to whom was re-committed the report on the proceedings of the committees from the four New-England states, brought in another report, which was taken into consideration : Whereupon,

*Resolved*, That considering the situation of the New-England states, Congress approve of the measures adopted and recommended by the committees from the four New-England states, for the defence of the state of Rhode-Island ; and also of the measures to be taken for preventing the depreciation

of their currency, except that part which recommends the striking bills bearing interest, which, being a measure tending to depreciate the continental and other currencies, ought not to be adopted, and it is so recommended by Congress to the said New-England states :

That the plan for regulating the price of labor, of manufactures and internal produce within those states, and of goods imported from foreign parts, except military stores, be referred to the consideration of the other United States : and that it be recommended to them, to adopt such measures, as they shall think most expedient to remedy the evils occasioned by the present fluctuating and exorbitant prices of the articles aforesaid :

That, for this purpose, it be recommended to the legislatures, or, in their recess, to the executive powers of the states of New-York, New-Jersey, Pennsylvania, Delaware, Maryland, and Virginia, to appoint commissioners to meet at York-Town, in Pennsylvania, on the 3d Monday in March next, to consider of, and form a system of regulation adapted to those states, to be laid before the respective legislatures of each state, for their approbation :

That, for the like purpose, it be recommended to the legislatures, or executive powers in the recess of the legislatures of the states of North-Carolina, South-Carolina, and Georgia, to appoint commissioners to meet at Charleston, in South-Carolina, on the first Monday in May next :

That it be recommended to the legislatures of the several states, to take the most effectual measures for manning the continental frigates, fitted for the sea in their respective states :

That it be earnestly recommended to the United States, to avoid, as far as possible, farther emissions of paper money, and to take the most effectual measures for speedily drawing in and sinking their paper currency already emitted :

That such parts of the proceedings of the committees from the four New-England states, as relate to the price of labor and other things, be published and transmitted to the other states, together with these resolutions :

The committee of treasury reported,

That there is due to William Lavelly, for entertaining a party of the Virginia light-horse, on their march to gen. Washington, 14.48 dollars.

That there should be paid to the honourable Mann Page, on account of Henry Baker, for provisions supplied by him to captain Morgan's company, of Virginia, in July, 1775, 56.20 dollars :

That there should be paid to Peter Kemp, for a wagon-horse, that was impressed in public service, and died on his return from Philadelphia, where he had been with baggage belonging to the Virginia troops, 80 dollars :

That there should be advanced to the board of war, 500 dollars for the public service, and for which they are to be accountable :

*Ordered*, That the said accounts be paid.

*Resolved*, That 1500 dollars be advanced to Gerard Hopkins, son of Richard, quarter-master in Baltimore, for public service ; he to be accountable.

A letter, of the 10th, from James Horne, a prisoner, was read :

*Ordered*, That it be referred to the marine committee, who are empowered to do therein what they shall judge proper.

The secret committee having informed Congress, that their agents in the eastern states, have, by their order in pursuance of the directions of Congress, purchased a quantity of clothing for the army, to the amount of £ 36,000, lawful money.

*Resolved*, That 120,000 dollars be advanced to the secret committee, to pay for the said goods, the committee to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.



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MONDAY, *February* 17, 1777.

A letter, of the 13th, from the committee of Congress, at Philadelphia; and one, of the 14th, from colonel Gist, enclosing a proclamation by the assembly of Maryland, were read.

The committee for Indian affairs, to whom was referred a letter from general Schuyler, with sundry papers enclosed, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Congress approve of the attention which general Schuyler has given to secure the friendship of the Six Nations of Indians towards these states, and of the measures which he is taking to defeat the evil designs of our enemies, who, with unremitting cruelty, are endeavouring to precipitate these Indians into a war against us.

That 10,000 dollars be delivered out of the military chest in Albany, to the commissioners of Indian affairs for the northern department, who are desired to purchase therewith, in these United States, such Indian goods as may be proper, and distribute the same among the Indian nations in their department, in such manner as they shall judge most conducive to cultivate the peace and friendship of the said nations, and that the commissioners direct such persons as they shall employ to purchase the said goods, that they do not bid against others already employed in purchasing goods for these United States.

On motion, *Resolved*, That the marine committee be empowered to advance 20 dollars to each seaman, who will enter to serve on board the *Lexington*, the same to be deducted out of their share of the prize-money, arising from the captures made by the said *Lexington*.

*Resolved*, That a committee of five be appointed to revise the regulations of the post-office, and report a plan of carrying it on, so as to render the conveyance of intelligence more expeditious and certain.

The members chosen, Mr. Heyward, Mr. J. Adams, Mr. Witherspoon, Mr. R. H. Lee, and Mr. S. Adams.

*Resolved*, That on Tuesday, the 25th instant, when Congress adjourn, it shall be adjourned from Baltimore to meet at Philadelphia.

*Resolved*, That a committee of three be appointed to consider the state and situation of the North-Carolina prisoners, and report thereon to Congress:

The members chosen, Mr. Witherspoon, Mr. Rumsey, and Mr. Burke.

Congress took into consideration the report of a committee appointed to prepare a plan for suppressing the internal enemies of America, and preventing a communication of intelligence to our enemies:

*Ordered*, That the same be re-committed, and that two members be added to the committee:

The members chosen, Mr. Chase and Mr. Gerry.

*Resolved*, That 20,000 dollars be paid to colonel William Crawford for raising and equipping his regiment, which is part of the Virginia new levies.

*Resolved*, That Mr. Aquila Norris be appointed a signer of the continental bills of credit, in addition to those already appointed,

Congress having this day received intelligence that the enemy meditate an expedition to the bay of Chesapeake the ensuing campaign, and that the Eastern-Shore is the first object or place of landing:

*Resolved*, That the states of Virginia and Maryland be requested to take immediate, and the most effectual, measures that the stocks be removed from their respective Eastern-Shore counties, and their adjacent islands, or so secured, that they may not fall into the enemy's hands, and that means the most effectual be taken to protect and secure the well affected inhabitants from the insults and plunder of the enemy.

*Ordered*, That the marine committee deliver the *Lexington*, when fitted for the sea and manned, to the order of the committee of secret correspondence.

**Ordered,** That the secret-committee forward to the council of Massachusetts-Bay, a copy of the resolution of the 5th inst. requesting the several states to order their armed vessels into the service of the United States, under the direction of the secret committee; and that they request the said council to send in one of the vessels belonging to their state, a trusty person, at the expense of the continent, who shall take charge of such papers as shall be entrusted to him by the secret-committee, and govern himself agreeable to the orders he shall receive from the said committee.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**TUESDAY, February 18, 1777.**

Mr. Heyward, attending in his place, produced credentials of a new appointment, which were read as follows:

**"SOUTH-CAROLINA. IN GENERAL ASSEMBLY, the 10th day of Jan. 1777.**

The members of the legislative council, and of the house jointly, voted for delegates to represent this state in the Continental Congress; and, the ballots being reckoned, Mr. Speaker reported, that the hon. Arthur Middleton, Thomas Heyward, jun. and Henry Laurens, esqrs. having a majority of votes of the members present, were duly elected.

**"IN GENERAL ASSEMBLY, the 20th day of January, 1777.**

**"Resolved, unanimously,** That the delegates of this state in the Continental Congress, already or hereafter to be elected, or a majority of such of them as shall, at any time, be present in the said Congress, or any one of the said delegates, if no more than one shall be present, be, and they and he are and is, hereby authorized and empowered for and in behalf of this state, to concert, agree to, and execute every measure which they or he, together with a majority of the Continental Congress, shall judge necessary for the defence, security, interest, or welfare of this state in particular, and of America in general.

**"IN THE GENERAL ASSEMBLY, the 21st day of January, 1777.**

"The members of both houses proceeded to ballot jointly for two more delegates to represent this state in Continental Congress, and the ballots being cast up, Mr. Speaker reported, that only the hon. Charles Pinckney, esq. of the gentlemen that were ballotted for, had the votes of a majority of the members present, who was accordingly declared duly elected. The members of both houses then proceeded to ballot for the other delegate, and the votes being reckoned, Mr. Speaker reported, that the hon. Paul Trapier, jun. esq. was duly elected by a majority of the ballots of the members present.

True extracts from the journals,

**"PETER TIMOTHY, Cl. G. A."**

A letter, of the 8th, from Mr. Walton and Mr. Taylor, at Durham, with a copy of the minutes of proceedings with the Indians, was read:

**Ordered,** That the same be referred to the committee on Indian affairs.

A letter, of the 15th, from the committee of Congress, at Philadelphia; one, of the 22d, and one, of the 25th of January, from the committee of safety for the state of New-York, at Fishkill; one, of the 11th, from gen. Washington, at Morristown, with sundry letters from French officers; one, of the 28th of January, from brigadier Moore, at Charleston; and one, of the 24th of the same month, from brigadier Howe, at the same place, with sundry papers enclosed, were read:

**Ordered,** That the letter from brigadier Howe, with the papers enclosed, be referred to the delegates of South-Carolina, North Carolina and Georgia.

**Ordered,** That the letters from the council of safety of New-York, be referred to the board of war.

**Resolved,** That general Washington be directed to cause an enquiry to be made into the military abilities and conduct of the French gentlemen in the army, and how far they can be usefully employed in the service of these states, and to dismiss such of them as he shall find unworthy of commissions, or unable to render service in the military line.

Mr. Chase, attending in his place, produced credentials of a new appointment of delegates for the state of Maryland, which were read as follows :

“IN THE HOUSE OF DELEGATES, *February 15, 1777.*

“On striking the joint ballot of both houses for delegates to represent this state in Congress, a majority appeared in favor of Samuel Chase, Benjamin Rumsey, William Smith, Charles Carroll, of Carrollton, Thomas Stone and William Paca, esqrs. **Resolved, therefore,** That the said Samuel Chase, Benjamin Rumsey, William Smith, Charles Carroll, of Carrollton, Thomas Stone and William Paca, esqrs. or any two or more of them, be delegates to represent this state in Congress.

“By order,

G. DUVAL, *Clk. Ho. Del.*”

**Resolved,** That Darby Lux and Daniel Carroll be appointed signers of the continental bills of credit, in addition to those already appointed.

Congress proceeded to consider the propriety of appointing an additional number of general officers ; and, after debate,

**Resolved,** That three majors-general be appointed.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, *February 19, 1777.*

**Resolved,** That colonel Campbell have leave to go to Virginia, to transact some business relative to his own private affairs.

**Resolved,** That 6000 dollars be paid to Christopher Richmond, and charged to the account of brigadier W. Smallwood, for the purpose of paying the arrearages due to the battalion and independent companies, serving last campaign, under the command of the said brigadier, then col. Smallwood, the same being in full of his draught in favor of the said C. Richmond, dated Annapolis, February 15, 1777.

**Resolved,** That in voting for general officers, a due regard shall be had to the line of succession, the merit of the persons proposed, and the quota of troops raised, and to be raised, by each state.

**Resolved,** That the number of major-generals, now to be appointed, be five.

**Resolved,** That brigadier Lewis be directed to order all the troops, raised in Virginia for the continental army, to march, immediately, by the nearest route, in companies and parts of companies, to general Washington's army, proper officers being left behind to recruit the companies or corps that are deficient in numbers, and to bring up the recruits when raised.

**Ordered,** That the secret committee deliver out of the public stores, 120 yards of coarse duffels, to the captain of the Lexington, to supply the place of blankets for the men on board the said vessel.

Congress proceeded to the election of five major-generals ; and the ballots being taken, the following gentlemen were duly elected, viz. lord Stirling, Thomas Mifflin, Arthur St. Clair, Adam Stephens, Benjamin Lincoln.

**Ordered,** That Mr. Hudson pay captain Jones, of the Virginia light-horse, three months' pay, and the privates with him, each, one months' pay, and transmit an account thereof to the pay-master general.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.



**THURSDAY; February 20, 1777.**

A letter, of the 14th, from gen. Washington, at Morristown, enclosing one, of the 9th, to him from gen. Lee, at New-York, and one, of the 10th, from the same to Congress; three, of the 17th, from the committee of Congress at Philadelphia; one, of the 30th of January, and one, of the first of February, from the council of Massachusetts-Bay; one, of the 30th of January, from the committee of safety of New-Hampshire; one, of the 5d, from gov. Cooke, at Providence; one, of the 7th, from gov. Trumbull; one, of the 14th, from gen. Washington, with sundry papers enclosed, relative to the hospital; one, of the 28th of January, from gen. Ward: and one, of the 2d inst. from col. Wayne were read.

*Resolved*, That 500,000 dollars be sent to the pay-master general, for the use of the army.

*Ordered*, That the letter from gen. Washington, with the papers relative to the hospital, be referred to the medical committee; that the letter from gen. Lee lie on the table; and that the other letters be referred to the board of war.

*Resolved*, That a committee of three be appointed to confer with col. Buchanan, on the subject of a contract for supplying the army with provisions:

The members chosen, Mr. Sherman, Mr. Gerry and Mr. W. Smith.

The committee, to whom the copy of general Howe's letter to gen. Washington was referred, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the board of war be directed immediately to order the five Hessian field-officers and lieutenant-colonel Campbell into safe and close custody; it being the unalterable resolution of Congress to retaliate on them the same punishment as may be inflicted on the person of gen. Lee:

That, to manifest to all the world how averse Congress are to this severe, but necessary measure, which alone can teach our cruel enemies to regard the laws of nations and the rights of humanity; and that Congress not only lament, but would willingly avoid the necessity of this just retaliation,

*Ordered*, That the board of war transmit to each of the Hessian officers and to col. Campbell, copies of the resolve of Congress of the 6th of January, of such part of gen. Washington's letter of the 13th, and of gen. Howe's answer thereto, of the 23d of January, as relates to gen. Lee: and inform those officers that the conduct of gen. Howe alone induces Congress to treat them in a manner so very different from that which has ever been shewn to all other prisoners of war of these states; and that, if any of them think proper to write on this subject to the British or Hessian general, the letter shall be transmitted by a flag.

*Resolved*, That the president write to gen. Gates, and inform him, it is the earnest desire of Congress, that he should resume the office of adjutant-general, and that his present rank and pay shall be continued to him.

The committee on ways and means of supplying the treasury, and supporting the credit of the continental currency, brought in a report, which was read:

*Ordered*, To lie on the table.

Congress resumed the subject of encreasing the number of general-officers; and, thereupon,

*Resolved*, That ten brigadiers be appointed.

*Ordered*, That the election of these brigadiers be postponed till to-morrow.

The committee on the treasury reported, that there is due,

To Robert Patton, for his services attending Congress from the 4th of December to the 20th of February, being 78 days; and for ink-powder, candles, &c. 79.35 dollars:

To Robert M'Gee, for the hire of his wagon, taking the baggage of capt. Yates's company of the 4th battalion of Maryland forces, 26 dollars:

To William Adams, for stabling, oats, &c. for eight wagon-horses and three Virginia light-horse, 11 dollars :

To Dr. Frederick Phyle, for the amount of his account for medicine and attendance to the German battalion, in Philadelphia, 199.48 dollars :

To John Fleming, for the hire of his team 20 days in the service of the army, and for ferriages paid by him, 80.27 dollars, and 4 dollars, for the ferriage of his wagon and horses over Bald-Friars, on the Susquehanna, kept by Alexander Ewing, as appears by his receipt, and which the said Fleming was compelled to pay, or he could not pass, and which appears an extortionate sum : the whole amounts to 84.27 dollars :

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### FRIDAY, February 21, 1777.

The committee, to whom was recommitted the plan reported for suppressing the internal enemies of America, and preventing a communication of intelligence to the other enemies of these states, brought in a report, which was read :

*Ordered*, To lie on the table.

Congress took into consideration the letter of the 10th from general Lee ; and, thereupon,

*Resolved*, That gen. Washington be directed to inform gen. Lee, that Congress are pursuing, and will continue to pursue, every means in their power to provide for his personal safety, and to obtain his liberty :

That gen. Washington inform him of the steps taken to effect these ends, and, at the same time, acquaint him, that Congress judge it altogether improper to send any of their body to communicate with him, and that they cannot perceive how a compliance with his request will tend to his advantage or the interest of the public.

Agreeable to the order of the day, Congress proceeded to ballot for the brigadiers, previously agreeing, that the rank of the brigadiers, now to be elected, shall be settled after the elections ; and, the ballots being taken and counted, the following gentlemen were elected :

Col. Enock Poor, col. J. Glover, col. J. Patterson, col. Anthony Wayne, col. James Mitchel Varnum, col. J. P. De Haas, col. G. Weedon, col. P. Muhlenberg, col. J. Cadwallader, and col. W. Woodford.

*Resolved*, That the rank of the foregoing brigadiers, and of brigadier Nash, be settled to-morrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, February 22, 1777.

*Resolved*, That Thomas Bullit, esq. deputy adjutant-general, have the rank of a colonel on the continental establishment.

Congress proceeded to settle the rank of the brigadiers elected yesterday, and of brigadier Nash, with respect to each other ; and, thereupon,

*Resolved*, That such as are in the continental service, take rank according to the dates of their commissions, and the rank they held in the army at the time of their promotion ; and that such as do not hold continental commissions, stand after them in the order in which they are elected.

*On motion*, "That colonel Woodford, who formerly held a commission of colonel in the continental service, but resigned, take rank according to the date of the said commission :"

Question put—Carried in the negative.

A memorial from Regnier de Roussi, and a representation from Thomas Rutherford, and three other prisoners from North-Carolina, were read :

*Ordered*, That the memorial from Regnier de Roussi be referred to the board of war ; and,

That the representation from the North-Carolina prisoners be referred to the board of treasury.

Congress took into consideration the report of the committee of ways and means ; Whereupon,

*Resolved*, That thirteen millions of dollars be borrowed on loan-office certificates, of the following denominations :

2500 of 200 dollars each,	500,000	3675	600 dollars each,	2,205,000
9185 300 ditto,	2,755,500	1843	1000 ditto,	1,843,000
7350 400 ditto,	2,940,000			
5518 500 ditto,	2,756,500	30,066		13,000,000

*Resolved*, That all certificates, issuing after the first emission, be signed by Michael Hillegas, esq. treasurer, or Samuel Hillegas, and countersigned agreeable to the resolutions of Congress of the 3d of October, 1776, and 15th of January, 1777.

*Resolved*, That the farther consideration of the report be postponed.

*Resolved*, That the treasurer be directed to remain in Baltimore till the farther orders of Congress.

*Resolved*, That one million of dollars be lodged in the hands of John Gibson, esq. auditor-general, to be subject to the draughts or orders of Congress ; he to be accountable

*Resolved*, That 400 dollars be paid to the delegates of Connecticut, and charged to that state.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That Jost Triesback be appointed a captain, and Charles Merckle a lieutenant, in major Ottendorf's corps :

That 1500 dollars be paid to Dr. Samuel M'Kenzie, for the use of the hospital in Baltimore ; he to be accountable.

*Resolved*, That a member be added to the committee on the treasury :

The member chosen, Mr. William Smith.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, February 24, 1777.

A letter, of the 23d of December last, from major-general Ward ; one, of the 12th, from col. G. Morgan, at Pittsburg, with sundry papers enclosed ; one, of the 22d, from the committee of Congress, at Philadelphia ; one, of the 20th, from gen. Washington ; and one, of the 20th, from G. Walton, esq. were read :

*Ordered*, That the letter from colonel Morgan, with the papers enclosed, be referred to the committee on Indian affairs ; and that the letter from general Ward, be referred to the board of war.

*Resolved*, That 2600 dollars be paid to lieutenant Hudson Martin, and charged to the account of the pay-master general ; the same being in full of an order drawn by general Washington, on William Palfrey, pay-master general, in favor of Levin Joynes, dated February 10, 1777, and endorsed by the said Joynes to captain Woodson, and by captain Woodson to the said lieutenant H. Martin.

*Ordered*, That the letter from the committee of Congress, and that from general Washington, be referred to a committee of the whole :

Congress, thereupon, resolved itself into a committee of the whole ; and, after some time, the president resumed the chair ; and Mr. Harrison reported, that the committee have taken into consideration the letters referred to them, and have come to sundry resolutions, which he was ordered to report.

The resolutions reported from the committee of the whole Congress being read, and the question put on each, were agreed to as follows :

**Resolved**, That general Washington be informed, that it will be agreeable to Congress, that he call over to him, such farther aid from the troops under general Heath, as he shall think proper, and that he order all the continental troops that are at Providence, immediately to join him :

That the convention of New-York be desired to place as many militia on the Highlands as may be sufficient to defend those passes against any attempts of the enemy, during the absence of the regular troops.

And, in order farther to strengthen the hands of the general,

**Resolved**, That the board of war be directed to send letters by express to the colonels or other commanding officers of the several regiments, now raising and recruiting in the states of Pennsylvania, Delaware, Maryland, and Virginia, ordering them immediately to march the troops enlisted under their command, by companies and parts of companies, to join the army under general Washington ; proper officers being left behind, to recruit the companies or corps that are not yet completed, and to bring up the recruits :

That general Washington be directed to write similar letters to the colonels or other commanding officers of the regiments now raising and recruiting in the states of New Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, and New-Jersey, excepting such regiments as he shall destine for the service of the northern department :

That the governor of New-Jersey be requested to order the militia of that state properly armed and equipped, immediately to join the general ; and that the council of safety of Pennsylvania be also requested to send to the aid of the general, such of their militia, properly armed and equipped, as are contiguous to New-Jersey. It being the earnest desire of Congress, to make the army under the immediate command of general Washington, sufficiently strong, not only to curb and confine the enemy within their present quarters, and prevent them from drawing support of any kind from the country, but, by the divine blessing, totally to subdue them before they can be reinforced.

Congress took into consideration the report of the board of war of the 14th : Whereupon,

**Resolved**, That the several states be requested to take the most effectual steps for immediately collecting from the inhabitants, not in actual service, all continental arms, and give notice of the number they shall collect to general Washington :

That all arms and accoutrements, belonging to the United States, be stamped or marked with the words *United States* ; all arms already made to be stamped upon such parts as will receive the impression, and those hereafter to be manufactured, to be stamped with the said words on every part composing the stand ; and all arms and accoutrements so stamped or marked, shall be taken wherever found for the use of the states, except they shall be in the hands of those actually in continental service :

That it be recommended to the legislatures of the several states, to enact proper laws for the punishment of those who shall unlawfully take, secrete, refuse or neglect to deliver, any continental arms or accoutrements which they may have in their possession.

**Ordered**, That the farther consideration of the report be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

TUESDAY, *February* 25, 1777.

Congress resumed the consideration of the report of the board of war : Whereupon,

**Resolved**, That the several states be requested and empowered to borrow

or purchase, on behalf of the continent, from the militia within the said states, respectively, as many good and sufficient arms as can possibly be procured.

*Ordered*, That the farther consideration of the report be postponed.

A petition from Jacob Haymaker was read, praying to be allowed a compensation for some horses stolen from him by the Indians :

On the question put, to comply with the prayer of the petition,—Carried in the negative.

The committee to whom the state of the North-Carolina prisoners was referred, brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That the prisoners from North-Carolina, now in prison, or under guard in Baltimore, be put upon their parole, and engaged to continue at Fredericktown, in Maryland, or within one mile of it, till the farther order of Congress.

*Ordered*, That the committee who brought in the report, carry the resolution into execution, and take such security of the prisoners, for the faithful observance of their parole, as the said committee think proper :

Congress being informed that a quantity of woollens are brought into the port of Baltimore, by a privateer belonging to the state of New-York, which are fit for the army, and immediately necessary for clothing and supplying the new raised levies ;

*Resolved*, That the board of war be directed to appoint proper persons to appraise the said woollens, in order that the value of the same may be paid to the state of New-York, or that a like quantity of woollens be supplied that state from the clothier-general ; and that the board of war give directions for having the cloth, thus obtained, made up as quickly as possible into soldiers' clothes.

The committee on the post-office brought in a report, which was read :

*Ordered*, To lie on the table.

Congress took into consideration the report of the committee on deserters ; and, thereupon, came to the following resolutions :

To the end, that the most speedy stop may be put to the pernicious and unsoldierly practice of deserting, and that such offenders who receive the public money for services that they design not to perform, may be certainly and speedily carried back to the corps they have deserted from, it is earnestly recommended to the committees of observation or inspection in these United States, that they cause diligent enquiry to be made, in their respective counties or districts, for all deserters that may be lurking or harbored therein, and cause such, whenever found, to be immediately secured, and conveyed to the nearest continental officer ; and all such officers are hereby directed to receive and secure such deserters, that they may be safely delivered to their respective regiments, and brought to a speedy trial and exemplary punishment ; and farther, to pay to the persons delivering such deserters, eight dollars for each deserter so brought and delivered, and 12-90ths of a dollar in lieu of expenses for every mile from the place where the deserter was taken up to the place where he is delivered to the officer.

*Ordered*, That the foregoing resolve, and the 1st, 2d, and 3d articles of the 6th section of the articles of war, be published in the several newspapers for six months, and also, that 300 copies be printed in hand-bills, and sent to camp, to be distributed among the officers.

On an application from two officers of the 2d and 7th Virginia battalions, who were left behind to bring up the baggage of their respective battalions, and from a surgeon's mate belonging to the 2d battalion, for two months' pay for themselves and the men with them, to enable them to proceed to camp,



**Ordered**, That they apply to Jonathan Hudson, esq. and that he pay the said officers and men two months' pay; and transmit an account thereof to the general, and to the pay-master general.

**Ordered**, That Mr. Witherspoon have leave of absence.

**Resolved**, That 3000 dollars be advanced to the delegates of Georgia, for the use of that state; the said state to be accountable.

**Ordered**, That Mr. Sergeant have leave of absence, for the recovery of his health.

The board of war brought in a report, which was taken into consideration;

that de Roussi be allowed the rank and pay of a major from the 1st day of January, 1777, and be referred for his services to Washington.

It was reported, that there is due, for the purchase of gun-dry medicines and attendance to sick soldiers:

to be paid to Dr. Benjamin Rush, for the expenses for his journey to Ticonderoga last fall, by the board:

the pay of a guard of militia to the treasury, and the use of the guard, 104.42 dollars:

Samuel Purviance, esq. 147.87 dollars, the amount of George Pressman's account for plaistering done by him in the court-house in Baltimore, and for nails, wood, &c. which work was done to accommodate Congress:

**Ordered**, That the said accounts be paid.

It being represented to Congress, that profaneness in general, and particularly cursing and swearing, shamefully prevail in the army of the United States,

**Resolved**, That general Washington be informed of this; and that he be requested to take the most proper measures, in concert with his general officers, for reforming this abuse.

**Resolved**, That the order for adjourning to Philadelphia be suspended.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, February 26, 1777.

**Resolved**, That William Spear be appointed a superintendent of the press, in addition to those already appointed.

**Resolved**, That 3000 dollars be paid to colonel Stephen Moylan, for the purpose of recruiting his regiment, agreeable to the tenor of a warrant from general Washington, as certified by an order, signed by the committee of Congress, dated Philadelphia, February 18, 1777.

The board of war brought in a report, which was taken into consideration; Whereupon,

**Resolved**, That 100 dollars be advanced to Thomas Edgar, conductor of a brigade of wagons, laden with the baggage of the 2d and 7th Virginia regiments; he to be accountable.

Congress resumed the consideration of the rate of interest to be allowed on the sums of money ordered to be borrowed; Whereupon,

**Resolved**, That an interest of 6 per cent. per annum be allowed on all sums of money already borrowed, and directed to be borrowed on loan-office certificates, although such certificates mention only an interest of 4 per cent. per annum.

**Resolved**, That the interest on the prizes, drawn in the continental lottery, shall remain at 4 per cent.

**Resolved**, That it be recommended to the legislatures of the several states,

not to offer or give more than at the rate of 6 per cent. per annum upon any monies to be borrowed in their respective loan-offices.

*Resolved*, That 1000 dollars be advanced to major Ottendorff, for the purpose of recruiting his corps; he to be accountable.

The committee on the treasury reported,

That there is due to Peter Galaway, for riding express to Chincotigue with orders to captain Baldwin, 52 dollars:

To Catharine Heydshaw, for lodging, firing, candles, and for dieting Hessian prisoners from the 29th of January to the 25th of February inclusive, 29.78 dollars:

To Henry Bradford, for furnishing lodging and fuel to 126 of the Virginia troops, 3.30 dollars:

To Joseph Stiles, for hay and oats to captain. Yauncy's squadron of light-horse, on their march from Virginia to join general Washington, 48.4 dollars:

To Robert Talbot, for victualling 48 men of the Virginia troops, 6.36 dollars:

*Ordered*, That the said accounts be paid.

Congress resumed the consideration of the report of the committee on ways and means; Whereupon,

*Resolved*, That the sum of five millions of dollars, in bills on the credit of the United States, of the same tenor and denominations as the last emission, be forthwith emitted under the direction of the board of treasury.

*Resolved*, That the farther consideration of the report be postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *February 27, 1777.*

A letter, of the 17th, from colonel George Morgan, at Pittsburg, was read;

*Ordered*, That the messenger who brought the letter be introduced.

*Resolved*, That 10,000 dollars be advanced to Mr. John Boreman, and charged to the account of colonel George Morgan, for the purpose of laying in provisions for the public service at Fort-Pitt.

The medical committee, to whom the report on the hospital was re-committed, brought in a report, which was read:

*Ordered*, To lie on the table.

*Resolved*, That when Congress adjourns this evening, it be adjourned to meet at Philadelphia, on Wednesday next.

*Resolved*, That 40,000 dollars be paid to the delegates of Maryland, for the use of the state of Maryland, the said state to be accountable:

That 3000 dollars be advanced to the delegates of Pennsylvania, for the purpose of recruiting colonel Hand's battalion, and that the said sum be charged to the account of the state of Pennsylvania.

Whereas the sum of 2000 dollars was ordered on the 9th of December last, to be advanced to the delegates of New-Jersey, for the public service, for which they were to be accountable; and whereas, the said sum has not yet been advanced, and the business for which it was intended, is performed:

*Ordered*, That no warrant be drawn in pursuance of the order aforesaid.

*Resolved*, That 500,000 dollars be advanced to the state of South-Carolina, for public service; the said state to be accountable.

Mr. Anderson, the messenger, who brought the letter from colonel Morgan, being introduced, gave an account of the state of Indian affairs to the westward of the Ohio, and withdrew.

*Resolved*, That it be recommended to the several legislatures of the United States, immediately to pass laws the most effectual for putting an immediate stop to the pernicious practice of distilling grain, by which the most extensive evils are likely to be derived, if not quickly prevented.

The committee of treasury reported,

That there should be advanced to John Griffith, for sundry provisions, and other necessities furnished by him for the use of the hospital in Baltimore, 53s 30 dollars :

*Ordered*, That the said sum be paid.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That two months' pay be advanced by Jonathan Hudson, esq. to a detachment of the 2d and 7th Virginia regiments, under the command of captain Joseph Spencer.

The committee, to whom a motion of Mr. Clark was referred, brought in a report, which was read :

*Ordered*, To lie on the table.

The committee on Indian affairs, brought in a report, which was read :

*Ordered*, To lie on the table.

*Resolved*, That the governor and council of Virginia be desired to consider the propriety of ordering an expedition from the western frontier of that state against the settlement of Indians west of the river Ohio, commonly known by the name of Pluggy's town, and if the said governor and council shall be of opinion, that such an expedition is proper and conducive to the public weal, they are desired to direct the same to be undertaken and executed by their frontier militia, on terms the most frugal and effectual, taking the best precaution in conducting this expedition, not to give offence to any nations of Indians, in friendship with the United States :

That a copy of the information from colonel G. Morgan, concerning Indian affairs, be transmitted to the governor and council of Virginia.

The committee on the treasury, reported,

That there is due to James Long, for attending as door-keeper to Congress, from the 23d of December, 1776, to this day, 67 dollars :

*Ordered*, That the same be paid.

*Resolved*, That the sum of £ 2859 2 9; dollars at 8s each, be paid to Messrs. Graverod & Visgar, the same being in full of an order in their favor, drawn by colonel G. Morgan, dated Fort-Pitt, February 8, 1777, for goods purchased from them by order of Congress.

*Resolved*, That William Lux, James Colhoun and David Stewart be appointed to appraise the woollens brought into the port of Baltimore, by the privateer belonging to the state of New-York :

That the clothes and linens when appraised, be delivered to Messrs. Samuel & Robert Purviance, who are directed to have them made up, and to deliver 200 suits of clothes, and 693 shirts, to the delegates of Maryland, to be charged to that state, and the residue to the Virginia troops, transmitting an account to the clothier-general.

*Resolved*, That 20,000 dollars be advanced to Jonathan Hudson, esq. for public service, he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Wednesday next, to meet at the state-house in Philadelphia.

During the adjournment, the board of treasury reported to the president, that there should be paid to captain W. Galbreath, for expenses of a guard over the Carolina prisoners, &c. 194 22 dollars :

And a bill having been drawn by a committee of Congress in Philadelphia, dated February 18, 1777, in favor of col. Stephen Moylan, for 3000 dollars for recruiting his regiment, agreeable to an order from general Washington ; which bill was endorsed to and presented by Mr. W. Lux :

And another bill, being drawn by the said committee at Philadelphia, February 18, 1777, in favor of the said col. Stephen Moylan, for 3000 dollars,



for the purpose of recruiting his regiment, and the same being endorsed to, and presented by captain David Plunket, the president ordered the payment, and reported the same to Congress on the 24th of March, and the same was confirmed.

Congress being adjourned on the 4th, and from thence, from day to day, met on business.

**WEDNESDAY, *March 12, 1777.***

The delegates of Pennsylvania produced credentials of their appointment, which were read as follows :

“This may certify Congress, that the following gentlemen were duly elected in and by a full house of the general assembly of the commonwealth of Pennsylvania, to serve as delegates in the Continental Congress for the present year, to wit: Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan B. Smith, George Clymer and James Wilson. Witness my hand, the 10th of March, 1777.

(Signed)

JOHN JACOBS, *Speaker.*”

The delegates of Massachusetts-Bay laid before Congress farther powers received from their constituents, which were read as follows :

“STATE OF MASSACHUSETTS-BAY.

IN THE HOUSE OF REPRESENTATIVES, *February 4, 1777.*

“Whereas, the commission given the delegates in Congress, representing this state, by a resolve of the 10th of December last, confines the exercise of their representation and powers to any three or more of them, from which many inconveniencies may arise, and their vote in Congress may be lost on any question, when only two are present; and one may controul two when three are present, and the same effect take place: It is, therefore, *Resolved*, That any two or more of the said delegates, representing this state in Congress, being the major part present, be, and hereby are, vested with all the powers with which any three or more of the said delegates were vested by the said resolve of the 10th of December last; and the secretary is hereby directed, as soon as may be, to furnish each of the delegates from this state with an attested copy of this resolve.

“T. WARREN, *Speaker.*

“IN COUNCIL, *February 4, 1777*, read and concurred.

“J. AVERY, *Deputy Secretary.*”

Five letters from general Washington, viz. one of the 20th, one of the 23d, one of the 28th of February, and one of the 1st, and one of the 6th of March; four letters from general Schuyler, viz. one of the 4th, one of the 8th, one of the 15th, and one of the 24th of February; a memorial from baron de Arandt; a letter from gen. Gates, with a list of Canadian officers; one from Mr. Bowdoin, respecting Monsieur Faneuil; and one from John Vipschir; one from governor Henry, of Virginia; one from John Page, respecting two German officers; also, a letter from lieutenant-colonel John Brown, enclosing his commission resigned; one, of the 3d, from lord Stirling; one from general Stephens; and one from general Lincoln, acknowledging severally the receipt of their commissions as major-generals; one from J. Cadwallader, declining his appointment as brigadier; one, of the 24th of February, from colonel Stewart, respecting the purchase of cannon, were read :

*Ordered*, That they be referred to the board of war.

A letter, of the 28th of February, from general Gates, was read, respecting the office of adjutant-general :

*Ordered*, That this be taken into consideration to-morrow.

An appeal being lodged from the judgment of the court of admiralty at Georgia, against the sloop Polly, captain Alexander M'Austan;

**Ordered,** That it be referred to the committee on appeals.

An account of advances by the state of Rhode-Island, was laid before Congress :

**Ordered,** To lie on the table.

A letter from the council of safety of Pennsylvania was read, respecting the complaints of the troops from Ticonderoga, on account of their not being paid :

**Ordered,** That the same be referred to the committee appointed to confer with general Gates.

**Resolved,** That 400,000 dollars be paid to the state of Rhode-Island, which is to be accountable ; and that the same be paid by an order on the auditor-general for 200,000, by one on the commissioner of the loan-office of the state of Rhode Island, for 60,000, and one on the treasurer, for 140,000 ; this last to be paid out of the emission last ordered.

**Resolved,** That three members be added to the committee for hearing appeals :

The members chosen, Mr. J. Adams, Mr. Read, and Mr. Burke.

**Resolved,** That an order in favor of James Mease, for 10,000 dollars, be drawn on the auditor-general, to be paid out of the lottery-money ; and that the same, in the hands of Mr. Mease, be subject to the orders of gen. Gates.

**Resolved,** That it be recommended to the legislatures, or, in their recess, to the executive powers of each of the United States, to cause assessments of blankets to be made, in order to furnish their several quotas of soldiers with an article so necessary to defend them from the inclemency of the weather and damp air, in their encampments ; and that all blankets to be obtained in this manner, be valued to a just and reasonable price, and paid for by the states respectively, to be repaid by the United States : and that the legislatures, or, in their recess, the executive power, do cause money to be put into the hands of a proper officer in every county, district, or township, in order that such blankets may be paid for, without delay or trouble, to the householders on whom the assessments shall be made.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, *March* 13, 1777.

A petition from Richard Howson was read, praying for leave to go to New-York, in order to pass from thence to England :

**Resolved,** That the prayer be granted.

A letter from lord Howe to the committee of Congress at Philadelphia, respecting the exchange of captain Jones, who was taken in the brig Lexington by the Pearl frigate, was read :

**Ordered,** That it be referred to the marine committee.

The board of war brought in a report, which was taken into consideration ;  
Whereupon,

**Resolved,** That a letter be written by the president to colonel Stephens, of the 10th Virginia regiment, ordering him to purchase 80 stand of arms, or as many more as can be procured, of Mr. James Hunter, of Fredericksburg, in Virginia ; and that the colonel be empowered to draw for the amount on the deputy pay-master general of the southern department.

Congress being informed that there are in the public armory, in the state of Virginia, a number of arms, to the amount of about 300, belonging to that state :

**Resolved,** That a letter be written by the president to the governor and council of Virginia ; requesting them to furnish the battalion, commanded by colonel Stephens, now in Fredericksburg, with the arms now in that place, and as many more as can be procured, for which they shall be either paid, or have the same number, equally as good, returned, at their election.

Whereas applications are frequently made to Congress for employment in the continental army by gentlemen from Europe of various nations, who may very probably have great merit, but, not understanding our language, can be of no use in the army of these states; therefore,

*Resolved*, That the committee of secret correspondence be directed forthwith to write to all their ministers or agents abroad, to discourage all gentlemen from coming to America with expectation of employment in the service, unless they are masters of our language, and have the best recommendations.

*Resolved*, That major Marlet be paid for the time that he was employed in the American service as major and captain in Canada, which is referred for settlement to the board of treasury.

Mr. Winters, of Maryland, who has carried on a manufactory of small arms, having offered his service to the continent,

*Ordered*, That it be referred to the board of war.

A petition from Lewis Prah, gunsmith, was read, praying the discharge of two recruits, gunsmiths by trade, from their enlistment, in order that he may employ them in that business:

*Ordered*, That it be referred to the board of war.

A memorial from Robert Irwin, wagon-master, was read, praying an allowance for his expense and trouble:

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That a committee of five be appointed to confer with general Gates upon the general state of affairs:

The members chosen, Mr. Roberdeau, Mr. L. Morris, Mr. Sherman, Mr. Whipple, and Mr. Lovell.

The board of treasury brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That three commissioners be appointed to examine such claims against the United States, as may be presented to Congress for payment:

That they constantly keep their office in the city or place where Congress shall, from time to time, be assembled and hold their session:

That they carefully avoid passing any accounts that ought to be adjusted in other departments, unless directed thereto by Congress or the board of treasury, in which cases, they are to send to the office or department where the same should have been settled, a copy of such accounts, and the allowance made thereon by Congress:

That they certify the sums to be allowed on accounts examined by them, and render the same to the auditor-general, to be by him reported to Congress.

A memorial from Christopher Ludwick, respecting the Hessian prisoners, was read:

*Ordered*, That it be referred to the committee appointed to confer with general Gates.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *March* 14, 1777.

A letter from John Trumbull, deputy adjutant-general in the northern department, with his commission enclosed; one from John Lawrence, commissioner of the loan-office in the state of Connecticut; one from Mons. Vernejour, with one from gen. Sullivan, recommending him; one from James Price, praying to be authorized to draw on the treasury for the balance due to Price and Haywood; one, of the 5th, from Joseph Trumbull, commissary-general; and one, of the 21st of February, from governor Trumbull, were read:

*Ordered*, That the letter from John Trumbull, deputy adjutant-general, and that from Mons. Vernejour, be referred to the board of war. That the letter from Mr. Price, and that from Joseph Trumbull, commissary-general, be referred to the board of treasury.

**Ordered,** That 82.60 dollars, be paid by a warrant on the treasurer, to Mons. Lotbinier for two months' pay and rations as chaplain, from the 10th of January last.

**Resolved,** That the bills drawn by the treasurer of North-Carolina on the continental treasury, be paid as part of the 500,000 dollars ordered to be advanced to that state the 5th of February last.

**Ordered,** That the bill drawn by governor Trumbull, in favor of Nathaniel Shaw, for 25,000 dollars, be paid and charged to the state of Connecticut.

**Ordered,** That Carpenter Wharton lay his accounts before the board of treasury.

**Ordered,** That a committee of three be appointed to enquire into the conduct of the commissaries, and that they be empowered to send for persons and papers:

The members chosen, Mr. Lewis Morris, Mr. Clark, and Mr. J. B. Smith.

The board of war brought in a report, which was taken into consideration; Whereupon,

**Resolved,** That Mons. Faneuil's scheme for officering, arming and clothing a corps of Frenchmen, to be raised in the French islands, to serve in the United States, as mentioned in general Washington's letter of the 20th of February, be disapproved:

That general Washington be acquainted, it is the opinion of Congress, no commission should be granted to foreign officers, to serve in these states, unless they are well acquainted with our language, and bring strong credentials of their abilities:

That general Washington be informed, that no provision has been made by Congress for the support of widows, whose husbands have been slain in battle.

**Ordered,** That the letters of the 1st and 6th from general Washington, be referred to a committee of the whole Congress.

**Resolved,** That the pay-list transmitted by the general for the establishment of colonel Sheldon's regiment of cavalry, be approved, which is as follows:

	<i>Pay per month.</i>		<i>Pay per month.</i>
" Lieut. col. commandant,	75 dollars.	Quarter-master,	16 2-3 dolls.
Major,	60	Serjeant,	15
Captain,	50	Corporal,	10
Lieutenant,	33 1-3	Trumpeter,	10
Cornet,	26 2-3	Private,	8 1-3
Adjutant,	33 1-3		

**Resolved,** That the establishment and pay of each regiment of light dragoons, raised for the defence of the United States, as transmitted by the general, be approved, which is as follows:

	<i>Pay per month.</i>		<i>Pay per month.</i>
" 1 Colonel,	93 1/2 dollars.	6 Troops, each consisting of	
1 Lieutenant-colonel,	75	1 Captain,	50 dollars.
1 Major,	60	1 Lieutenant,	33 1-3
1 Chaplain,	50	1 Cornet,	26 2-3
1 Quarter-master,	50	1 Quarter-master-serjeant,	15
1 Surgeon,	60	1 Drill-serjeant,	15
1 Mate,	40	1 Trumpeter,	10
1 Pay-master,	50	1 Farrier,	10
1 Riding-Master,	33 1-3	4 Corporals, each	10
1 Saddler,	10	32 Privates, each	8 1-3
1 Trumpet-major,	11		

Note. The pay of the farrier and saddler being less than such persons can be had for, a small stoppage from the men's pay must be made and given in aid, as is usual in the British service."

**Resolved,** That the pay of Mr. Nathaniel Barber, junior, deputy commis-

sary of artillery in the eastern department, be 53 dollars and 1-3d per month, and three rations a day.

Congress resolved itself into a committee of the whole; after some time, the president resumed the chair, and Mr. L. Morris reported, that the committee have had under consideration the letters to them referred, and come to a resolution thereon, which he was ordered to report:

The resolution being read, was agreed to, and is as follows:

*Resolved*, That gen. Washington be informed, that Congress cannot agree to any alteration in the resolve passed on the 6th of January, 1777. And, as to the complaints of col. Campbell, it was never their intention that he should suffer any other hardship than such confinement as is necessary to his security for the purpose of that resolve:

*Ordered*, That a copy of the above resolve, together with a copy of the letter from col. Campbell to gen. Washington, be sent to the council of Massachusetts-Bay:

*Ordered*, That a copy of the letter from col. Campbell to gen. Washington be sent to captain J. Bradford.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, *March* 15, 1777.

A letter, of the 2d, from general Wayne, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to the board of war.

*Resolved*, That 50,000 dollars be advanced to Mr. Carpenter Wharton; he to be accountable.

*Resolved*, That 100,000 dollars be advanced to Mr. James Mease, clothier-general; he to be accountable.

*Resolved*, That 5000 dollars be advanced to the state of Delaware; the said state to be accountable.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That as Congress proceeded to the dismissal of doctor Stringer, upon reasons satisfactory to themselves, gen. Schuyler ought to have known it to be his duty to have acquiesced therein:

That the suggestion in general Schuyler's letter to Congress, that it was a compliment due to him to have been advised of the reasons of doctor Stringer's dismissal, is highly derogatory to the honour of Congress; and that the president be desired to acquaint general Schuyler that it is expected his letters, for the future, be written in a style more suitable to the dignity of the representative body of these free and independant states, and to his own character as their officer.

*Resolved*, That it is altogether improper and inconsistent with the dignity of this Congress, to interfere in disputes subsisting among the officers of the army; which ought to be settled, unless they can be otherwise accommodated, in a court-martial, agreeably to the rules of the army; and that the expression in general Schuyler's letter of the 4th of February, "that he confidently expected Congress would have done him that justice, which it was in their power to give, and which he humbly conceives they ought to have done," were, to say the least, ill-advised and highly indecent.

*Ordered*, That an extract of those parts of general Schuyler's letter of the 4th of February, which relate to the state of the garrison of Ticonderoga, be transmitted by the board of war to gen. Washington.

*Ordered*, That the resignation of lieut. col. John Brown, of colonel Elmore's regiment, raised in the state of Connecticut, be accepted.

The board of treasury brought in a report, which was taken into consideration; Whereupon,



*Resolved*, That the commissioners in the northern department make an allowance to James Price, esq. for the time which he acted as deputy-commissary general in Canada.

*Resolved*, That there be advanced to Joseph Trumbull, esq. commissary general, 400,000 dollars by a warrant for 50,000 dollars on the commissioner of the loan-office, for the state of New-Hampshire; and by a warrant for 350,000 dollars on John Gibson, esq. auditor general:

That there be advanced to James Stevenson, esq. one of the commissioners of accounts for the middle department, 600 dollars by a warrant on the commissioner of the loan-office for the state of Connecticut, he to be accountable.

*Resolved*, That there be paid to Allen M'Donald, Alexander, Archibald, Reynold and Allen M'Donald, jun. for the allowance of two dollars per week, from the 18th of December to the 12th of March, being 12 weeks, 168 dollars.

*Resolved*, That 300 dollars be paid to the Rev. Mr. James Caldwell, of the state of New-Jersey, for extraordinary services.

A petition from William Bernard, was read, setting forth, "that he sailed from England, in the month of November last, as mate of the brigantine Hanover, bound for St. Augustine, commanded by John Pinkham, and that, in the passage, the said Bernard, with the crew, consisting of six persons, all inhabitants of these United States, seized the said brig, and carried her into North-Carolina, and praying that the said brig and cargo may be distributed among them:"

*Ordered*, That the said petition, with the papers accompanying it, be referred to the marine committee.

The marine committee reported, "that there are several very fine prize-ships in the state of Massachusetts-Bay, very suitable for the service of the continent, and which may be fitted out at a small expense; and that capt. Daniel Waters, and capt. Samuel Tucker, who were early employed by general Washington in cruising vessels, and were very successful, and strongly recommended by the general and others, are, in their opinion, proper to be appointed to the command of two of them:" Whereupon,

*Resolved*, That the marine committee be empowered to give directions to the agents to purchase three ships, and order them to be immediately armed and fitted out for the service of the United States, to be under the direction of the marine committee.

*Resolved*, That Daniel Waters and Samuel Tucker be appointed captains in the navy of the United States, and that they have the command of two of the ships ordered to be purchased; and that the command of the other ship be given to captain John Paul Jones, until better provision can be made for him.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

#### MONDAY, *March 17, 1777.*

Eight states only attending, the several matters to this day referred were farther postponed, and Congress adjourned to ten o'clock to-morrow.

#### TUESDAY, *March 18, 1777.*

Eight states only attending this day, the matters referred over were farther postponed, and Congress adjourned to ten o'clock to-morrow.

#### WEDNESDAY, *March 19, 1777.*

A letter, from W. Atlee, of Lancaster, enclosing a plan of the stockaded barracks in that place; one, of the 4th, from general Ward, at Boston;



and three, from French gentlemen ; two from governor Livingston, of New-Jersey ; one, from general Mifflin ; and one from Henry Fisher, at Lewistown, to the council of safety of Pennsylvania ; and one, of the 14th, from general Washington, were read :

*Ordered*, That the same be referred to the board of war.

A memorial from Jonathan Hastings was read :

*Ordered*, To lie on the table until the report on the post-office is taken into consideration.

A letter, of the 2d and 9th, from colonel Morgan at Fort-Pitt, with sundry papers enclosed, was read :

*Ordered*, That the same be referred to the committee on Indian affairs.

A petition from Thomas Henegan was read :

*Ordered*, That it be referred to the salt-petre committee.

*Resolved*, That 100,000 dollars be advanced to the state of New-Jersey ; the said state to be accountable.

*Resolved*, That 100,000 dollars be advanced to the state of Pennsylvania ; the said state to be accountable.

*Ordered*, That a committee of three be appointed to enquire into the state of the French officers, and that all applications of foreigners for service in the army be referred to them :

The members chosen, Mr. Lovell, Mr. Heyward, and Mr. Roberdeau.

The board of war reported, " that there should be advanced to colonel William Grayson, 10,000 dollars, according to his request, in his letter of the 7th, to the secretary of the board ; and that the same be sent by the hands of Mr. Thompson, as desired in the said letter ; colonel Grayson to be accountable : "

*Ordered*, That the said sum be advanced.

In consequence of a farther report from the board of war,

*Resolved*, That the baron de Arendt be appointed to the command of the German battalion in the room of colonel Haussegger.

*Ordered*, That the committee of secret correspondence write a respectful letter to the baron de Kalb, thank him for his obliging offer, and decline accepting it at present.

*Resolved*, That general lord Stirling be informed, that, as no losses sustained by officers have hitherto been repaired by the public, Congress cannot grant his request, lest a dangerous precedent should be established.

*Ordered*, That the part of general Schuyler's letter of the 15th of February last, relating to ship-carpenters wanted in the northern department, be referred to the marine committee.

*Ordered*, That an extract from general Schuyler's letter of the 4th of February, relating to stores wanted from the eastern department, be transmitted to general Washington, and that he be directed to give orders for the supply of such stores as are wanted in the northern department, and which can be procured from the eastward, and are not already appropriated.

*Resolved*, That John Schrop be appointed second-lieutenant, and Bartholomew Van Herr, adjutant, in the corps commanded by major Ottendorf.

A petition from William Garnet, George Patton, and Robert Brown, was read, praying for leave to return to some of the West-India Islands :

*Ordered*, That the prayer of the petition be granted.

*Ordered*, That Mr. Sergeant be excused from serving on the marine committee, and that Mr. Clark be added to the said committee in his stead.

*Ordered*, That an extract of Mr. Deane's letter, relative to Dr. Williamson, be referred to a committee of five, and that they be empowered to send for Dr. Williamson and examine him :

The members chosen, Mr. Witherspoon, Mr. Smith, Mr. Clymer, Mr. Wilson, and Mr. Heyward.

The several matters to this day referred being postponed,  
Adjourned to ten o'clock to-morrow.

**THURSDAY, *March 20, 1777.***

A letter, of the 3d, from governor Trumbull, at Lebanon, and two, of the 10th, enclosing an intercepted letter from governor Wentworth; and one from J. Cockran, were read:

*Ordered*, That the letter from governor Trumbull be referred to the marine committee; and that the intercepted letters be referred to the committee of intelligence.

A letter from Mons. Bordes; one, from general Gates, respecting colonel John Trumbull; and one, of the 17th, from general Putnam, at Princeton, were read:

*Ordered*, That the letter from Mons. Bordes be referred to the committee on foreign applications.

A letter, of the 18th, from general Washington, brought by general Green, was read:

*Ordered*, That general Green attend Congress to-morrow, at 11 o'clock.

*Ordered*, That Mr. J. B. Smith be excused from serving as manager of the lottery, he being appointed a member of Congress.

*Ordered*, That three managers be added to those already appointed, and that to-morrow be assigned for electing them.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**FRIDAY, *March 21, 1777.***

*Resolved*, That £625, Pennsylvania currency, equal to 1666 60 dollars, be paid to Gam. Dowdell, and charged to the account of colonel Morgan, of the Virginia forces, the same being in full of colonel Morgan's bill on the president, dated February 24, 1777, in favor of the said Gam. Dowdell, for the pay of the troops under his command.

*Ordered*, That 1600 dollars be advanced to Thomas Butler, continental armourer; he to be accountable:

That 13 30 dollars be paid to Timothy Shuler.

A petition from Levy Marks, was read:

*Ordered*, That it be referred to the clothier-general.

A petition from George Folger, Seth Jenkins, and Alexander Coffin, was read, setting forth, that some hard money, and other articles, have been detained from them by the owners of the privateer Congress:

*Ordered*, That it be dismissed; the matter belonging to the court where the judgment was given.

A letter from colonel Stewart to the committee on the affairs of the northern department, was laid before Congress:

*Ordered*, That it be referred to the board of war.

*Ordered*, That the committee appointed on the 13th to confer with general Gates, do also confer with general Green on the several matters given in charge to him by general Washington, and that three members be added to the committee:

The members chosen, Mr. Wilson, Mr. S. Adams, and Mr. Witherspoon.

The committee on foreign applications, brought in a report, which was read and considered; Whereupon,

*Resolved*, That a copy of the resolve of the 13th, with a certificate signed by the secretary, setting forth, "That it is wholly and only upon the grounds mentioned in the said resolve, that the bearer is not employed by these United States," be given to the chevalier de Bourneuf, Mons. de Bordes, Mons. de Luce, Mons. de Baury, Mons. Devermond, Mons. de Vernis, the

chevalier de Colerus, and Mons. Faneuil; and that the committee aforesaid be empowered to order a like certificate to such other foreigners applying for rank and service in the army of the United States, as they shall think proper.

*Resolved*, That the count de Mountfort be recommended to general Washington for a brevet of lieutenant.

*Ordered*, That 300 dollars be paid to Mons. Faneuil, to free him from those embarrassments which he has been brought into by pursuing his own great desire to enter into the service of these United States, in consequence of advice from the assembly of Massachusetts-Bay and general Washington.

*Ordered*, That 100,000 dollars be advanced to James Mease, clothier-general: he to be accountable.

*Resolved*, That one million of dollars be sent by the treasurer to John Gibson, esq. auditor-general; the said money to be subject to the orders of Congress, and the auditor-general to be accountable.

*Ordered*, That 30,000 dollars be advanced to Richard Dallam, esq. deputy pay-master general of the flying-camp; he to be accountable.

The board of war brought in a report, which was read and considered; Whereupon,

*Ordered*, That 500,000 dollars be immediately sent to the pay-master general.

*Resolved*, That for preventing unnecessary expense, when the militia of any of the states is called to serve in the pay of the United States, no more officers shall be entitled to pay than a proper number in proportion to the privates, viz. for every company consisting of not less than 36 and under 50 privates, two commissioned officers; for every company not less than 50 and under 68 privates, three commissioned officers; for every company of 68 or more privates, four commissioned officers; and for every battalion of 500 and more privates, three field officers; for every battalion under 500, and not less than 300, a lieutenant-colonel and major; and for any number of privates above 150 and under 300, one lieutenant-colonel or major.

*Ordered*, That general Sullivan's letter, relative to Monsieur Vernejoul, be referred to the committee on foreign applications.

*Ordered*, That general Mifflin's plan, with two letters from general Washington, for regulating the duty of the quarter-master's department, be referred to the committee appointed to confer with general Gates, and general Green.

Congress resumed the consideration of the report of the board of war of the 12th; Whereupon,

*Resolved*, That it be recommended to the council of the state of Massachusetts-Bay, to erect, at the expense of the United States, in some convenient place in the county of Worcester, in the said state, barracks, with a stockade or enclosure surrounding the same, capable of containing 1500 prisoners, to be built of wood, as may appear to them most conducive to the public service, and, in the end, least expensive to the public.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, March 22, 1777.

A letter, signed John Ross, dated New-York, having been intercepted, was read.

The board of war brought in a report, which was read and considered; Whereupon,

*Ordered*, That 300,000 dollars be advanced to major-general Mifflin, for the use of the quarter-master's department; he to be accountable.

*Ordered*, That 42 dollars be paid to William Sproat, being a balance due to him for his services as clerk to the board of war.

*Ordered*, That the petition from Robert Lilly, with the annexed account, be referred to the board of treasury.

**Resolved,** That two members be added to the board of treasury :

The members chosen, Mr. J. B. Smith, and Mr. L. Morris.

**Ordered,** That the managers of the lottery of the United States, draw the same, agreeably to the mode usually practised in the state-lotteries in Europe, and frequently used in large lotteries in America, by putting all the numbers in one wheel, and the prizes only in the other.

Congress proceeded to the choice of three additional managers of the United States' lottery ; and, the ballots being taken,

John Ord, Robert Ritchie, and James Budden, were elected.

**Ordered,** That the bill dated March 9th, 1777, drawn by William Palfrey, pay-master general, for 5000 dollars in favor of John Ramsey, be paid, and charged to the account of the pay-master general.

The report of the medical committee was taken up and considered ; and, after debate,

**Ordered,** That the said report, together with Dr. Shippen's plan, be re-committed.

**Ordered,** That a committee of five be appointed to devise ways and means for preserving the health of the troops, and for introducing better discipline into the army :

The members chosen, Mr. Wolcott, Mr. Roberdeau, Mr. Witherspoon, Mr. S. Adams, and Mr. Clark.

**Resolved,** That the board of war be empowered to contract with Mr. Wheeler, for a number of cannon of the new construction, invented by the said Wheeler.

**Ordered,** That one million of dollars be sent, by the continental treasurer, to the auditor-general, the said money to be subject to the order of Congress, and the auditor-general to be accountable.

The committee on departments, brought in a report, which was read and considered ; Whereupon,

**Resolved,** That a secretary's office be forthwith established, and constantly kept in or near the state-house or building where Congress shall, from time to time, hold its session :

That it be under the direction of the secretary, and provided with a deputy-secretary, to be appointed by Congress, with a salary of 800 dollars a year, and such a number of clerks as Congress shall direct, to be appointed by the secretary, with a salary of 480 dollars a year each :

That the secretary, deputy-secretary, and clerks, before entering upon their office, shall severally take an oath, to be administered by the president, "well and faithfully to execute the trust reposed in them, in their respective capacities, according to their best skill and judgment, and to disclose no matter, the knowledge of which shall be acquired in consequence of such their office, and which they shall be directed to keep secret ;" also the oath prescribed for officers of the army, and passed by Congress the 21st of October, 1776 ; and that certificates thereof be given by the president, and lodged with the secretary :

That such of the journals and papers of Congress, as are secret in their nature, be kept by the secretary, and communicated to none, unless by particular order, but members of Congress and the deputy-secretary, and that all others be kept and filed in the office aforesaid :

That all letters and other papers of Congress, in the war-office, or hands of the president, treasury or marine boards, the secret committee, or committee on Indian affairs, or any other committee or member of Congress, (excepting such as relate only to the business of the said boards or committees, and have never been received in Congress, or having been received, have been committed to the same, as belonging to the respective offices) be delivered to the secretary, to be by him disposed of as aforesaid :

That all letters and other papers that shall hereafter be committed by Congress to any board, committee, or member thereof, be returned to the president or secretary, with the report that may be made thereon: and that no original journal, letter, or paper, be delivered out of the office, without an order of Congress and receipt thereof:

That such of the journals and papers belonging to the secretary's office as are in daily use by Congress, be, each day after the adjournment, sent to the said office; and attested copies of all the resolutions to be carried into execution by any state, officer, person, or persons whatever, and papers necessary to accompany the same, to be sent, without delay, to the president, to be by him transmitted by express, post, or other conveyance, as shall appear expedient or necessary; and that attested copies of any resolutions of Congress, or public papers in the office, be delivered to any of its members requiring the same.

*Ordered*, That Monday next be assigned for electing a deputy secretary.

The committee on the treasury reported, that there is due,

To Stewart Rowan, for ferriage of continental troops over Susquehanna, 13.54 dollars:

To Price and Haywood for travelling expenses from Philadelphia to Albany, in consequence of a resolve of Congress of the 13th of August last, and from Boston to Philadelphia, and back, 220 dollars:

To Francis Trumbull, for eight chairs bought of him for the use of the treasury office, 19.18 dollars:

To Thomas Burke, esq. for an advance made by him to 19 North-Carolina prisoners, to enable them to pay their expenses from Baltimore to Fredericktown, 139.30 dollars; the said sum to be deducted from the allowance due to the prisoners:

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, *March 24*, 1777.

A letter, of the 22d, from general Gates; one, of the 26th of February, from brigadier R. Howe, at Charleston; one, of the 12th of March, from captain F. Wade; sundry papers delivered in by colonel Flower; and a remonstrance and petition from sundry inhabitants of the counties of Accomac, Somerset, and Worcester, were read:

*Ordered*, That the letter from general Gates be referred to the committee on foreign applications:

That the papers from col. Flower be referred to the board of war:

That the letter from captain Wade be referred to the committee appointed to enquire into the conduct of the commissaries:

That the remonstrance and petition from the inhabitants of the counties of Accomac, Somerset, and Worcester be referred to the delegates of Virginia and Maryland; and that the said delegates send to their respective states, a copy of the said remonstrance and petition.

*Resolved*, That Monsieur Faneuil have the rank of a colonel by brevet in the continental army, without pay or rations.

The committee appointed to confer with major-general Green, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That general Washington be informed that it never was the intention of Congress, that he should be bound by the majority of voices in a council of war, contrary to his own judgment:

That the commander in chief in every department be made acquainted, that though he may consult the general officers under him, yet, he is not bound by their opinion, but ought finally to direct every measure according to his own judgment:



That if the officer commanding the army of the enemy will acknowledge major-general Lee to be a prisoner of war, and entitled to be treated and exchanged as such, general Washington be authorized to proceed in the exchange of prisoners, either according to the principles and regulations of the cartel already agreed to, or according to such other and farther principles and regulations as shall appear to him most proper and advantageous :

That the pay of aids-de-camp be equal to that of other officers of their rank.

Congress being informed that a vessel is just arrived with a quantity of arms belonging to the continent, and also with some arms belonging to private persons :

*Ordered*, That the secret committee purchase such of the arms and military stores as belong to private persons.

The medical committee, to whom the plan of the general hospital was re-committed, brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed till to-morrow.

A letter, of the 14th, from col. F. Johnson, was read ; Whereupon,

*Ordered*, That the independent company, commanded by captain J. Nelson, be annexed to the battalion commanded by colonel F. Johnson.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, *March 25*, 1777.

A letter, of the 15th, from colonel G. Morgan, at Pittsburg, with sundry papers enclosed, was read ; Whereupon,

*Ordered*, That the committee on Indian affairs transmit to the commissioners of Indian affairs in the northern department, the letter addressed to them by colonel Morgan, and signify to them, that Congress approve of the measures mentioned therein.

*Resolved*, That the governor and council of Virginia, be desired to suspend any operations against the gang of Indians, commonly called Pluggy's people, till they shall receive farther advice from Congress.

*Ordered*, That a copy of colonel Morgan's letter of the 15th and of the advices therein contained, be transmitted to the governor and council of Virginia.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon, Congress came to the following resolution :

Whereas by a resolve of Congress of the 3d of October, 1776, the commissioners of the loan-office were directed, " to transmit to the continental treasurer, once a month, an account of the cash in their respective offices, and to answer all draughts of the treasurer to the amount of the cash which they shall have in their hands as aforesaid ;"

*Resolved*, That the several commissioners of the loan-offices, hereafter, make monthly returns to the board of treasury of the cash in their respective offices, and that the same be draughted by warrants from the president only, which, previous to their being paid, shall be entered at the treasury-office, and the entry certified on the warrant by one of the commissioners of the treasury, the auditor-general, or one of his assistants or clerks.

A memorial from Lewis Prah was read :

*Ordered*, That it be referred to the board of war.

*Ordered*, That the opinion of the council of officers on colonel Morgan's commission, enclosed in the colonel's letter of the 15th, be referred to the board of war.

Congress proceeded to the election of a deputy-secretary, and, the ballots being taken,

Mr. William Churchill Houston was elected.

The marine committee laid before Congress a paper, signed by sundry



officers in the fleet, containing charges and complaints against commodore Esek Hopkins; which was read, and laid upon the table.

*Resolved*, That the board of war be directed to order the new battalions, raised and raising on the west side of the Alleghany mountains, to join the army, under gen. Washington, with all possible expedition.

*Resolved*, That general Gates be directed to repair immediately to Ticonderoga, and take command of the army there.

A letter, of the 18th, from the convention of New-York, was read, recommending the appointment of a commandant of the forts in the Highlands; Whereupon,

*Resolved*, That a commandant of the forts in the Highlands be appointed, with the rank of brigadier-general:

The ballots being taken,

George Clinton, esq. was elected.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *March 26, 1777.*

A letter, of the 14th, from William Aylett, esq. deputy commissary-general, at Williamsburg, with sundry papers enclosed, and one, of the 8th, from general Schuyler, with sundry papers, were read:

*Ordered*, That they be referred to the board of war.

A letter, of the 20th, from the committee of Lancaster to the delegates of the state of Pennsylvania, enclosing sundry papers, was laid before Congress, and read:

*Ordered*, That the same be referred to a committee of three:

The members chosen, Mr. Wilson, Mr. J. Adams, and Mr. Sherman.

The board of war brought in a report, which was read and considered; Whereupon,

*Resolved*, That the government of the Delaware state, be desired to place such a guard at Lewistown, at continental expense, as they shall think sufficient to protect the persons employed as pilots, and such property of the good subjects of these states as shall be thrown upon their or the adjacent coasts.

*Ordered*, That general Schuyler's general orders of February, 1777, be transmitted to gen. Washington, for his perusal and consideration.

*Ordered*, That 8000 dollars be advanced to colonel Thomas Hartley, for clothing and arming his battalion; he to be accountable.

*Resolved*, That a member be added to the board of war:

The member chosen, Mr. G. Clymer.

*Ordered*, That 3000 dollars be advanced to captain Jacob Weaver, for the use of his independent company at Lancaster; he to be accountable.

The marine committee, to whom the petition of William Bernard was referred, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That it is improper for Congress to interpose in the matter therein submitted to them in the present stage thereof.

*Ordered*, That the president acquaint general Washington, that Congress expect the office of adjutant-general to be filled by a speedy appointment of a person of abilities and unsuspected attachment to these United States; and recommend colonel William Lee to his consideration for this purpose.

Congress took into consideration the paper containing charges and complaints against commodore Hopkins; Whereupon,

*Resolved*, That Esek Hopkins be immediately, and he is hereby, suspended from his command in the American navy.

The committee on the treasury reported,

That there should be presented to Sterling Wade Cannon, 4 dollars, to enable him to proceed to Maryland:

That there is due to major Harduen Merlet, for his pay and rations as captain from the 1st of September, 1775, to the 20th of January, 1776, 161.48 dollars; for his pay and rations as major, from the 20th of January, 1776, to the 15th of February, 1777, 563.20 dollars; the whole amounting to 724.68 dollars:

To Robert Patton, for cutting nine cords of wood for the use of Congress, 9 dollars.

*Ordered*, That the said accounts be paid.

*Ordered*, That the treasurer send 100,000 dollars to Benjamin Harrison, jun. esq. deputy pay-master general in Williamsburg, in Virginia, for the public service in his department; he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *March 27, 1777.*

A letter, of the 23d, from general Washington, was read, wherein he informs Congress, that he has given permission to colonel Palfrey, the pay-master general, to come to Philadelphia to settle his accounts:

*Ordered*, That colonel Palfrey, the pay-master general, be referred for the settlement of his accounts to the commissioners appointed to audit and settle the accounts of the army under the immediate command of general Washington.

A letter, of the 23d, from governor Johnson, of Maryland, to the secret committee, was laid before Congress, and read:

*Ordered*, That it be referred to the board of war.

*Ordered*, That Neil M'Arthur, and Alexander M'Kay, two of the North-Carolina prisoners, who have executed bonds and given approved security for their good behaviour and inoffensive conduct towards the United States, and every of them, be permitted to go to North-Carolina, to solicit the assembly thereof, for permission to remain there in such place, and under such restrictions, as the said assembly shall direct; provided, that the said Neil M'Arthur, and Alexander M'Kay, if refused such permission, shall be under obligation to return to their place of destination in Fredericktown, in Maryland, as soon as may be, or otherwise shall be deemed to have broken their parole.

Congress took into consideration the report of the medical committee; and, after debate,

*Ordered*, That it be re-committed.

*Ordered*, That two members be added to the medical committee:

The members chosen, Mr. Clark and Mr. Ellery.

A petition from Timothy Shalor, of the sloop Lion, was read, praying to be supplied with some rigging and 200 lb. of powder:

*Ordered*, That it be referred to the secret committee, who are directed to supply him with the powder on his paying for the same, and alsowith the other articles if they cannot be purchased at private sale.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Saturday.

#### SATURDAY, *March 29, 1777.*

A letter, of the 19th, from general Lee, at New-York; one, of the 26th, from governor Livingston, of New-Jersey, with sundry papers enclosed; and one, of the 16th, from lieutenant-colonel Antil, were read:

*Ordered*, That the letter from governor Livingston, with the papers enclosed, be referred to the committee for enquiring into the conduct of the British army: that the letter from lieutenant-colonel Antil be referred to the board of treasury.

Congress took into consideration the letter from gen. Lee ; Whereupon,  
*Resolved*, That Congress still judge it improper to send any of their members to confer with general Lee upon the subjects mentioned in his letter.

*Ordered*, That 500 dollars be advanced to the board of war for contingent services ; the said board to be accountable.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That 20,000 dollars be paid to Mr. Robert Wood, pay-master of col. James Wood's regiment, raised in the state of Virginia, for the use of the said regiment, the colonel to be accountable, he having requested the supply by his letter of the 23d instant.

*Resolved*, That the marine committee be authorized to advance to every able seaman that enters into the continental service, any sum, not exceeding 40 dollars, and to every ordinary seaman or landsman, any sum, not exceeding 20 dollars ; to be deducted from their future prize-money.

The committee, to whom the letter from the committee of Lancaster, in Pennsylvania, to the delegates of that state, together with the papers therein enclosed, were referred, brought in a report, which was read and considered : Whereupon, Congress came to the following resolution :

Whereas Edmund Minyer, adjutant of the regiment commanded by col. Moses Hazen, stands charged by an inquisition, taken before the coroner of the county of Lancaster, in Pennsylvania, with the murder of Jacob Gross, late of the said county, deceased ;

*Resolved*, That the said Edmund Minyer be delivered to the civil authority of Pennsylvania, that he may receive his trial according to law.

The board of war brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That Mr. Aylett, deputy commissary-general in Virginia, be informed, in answer to his letter of the 14th instant, that the quantity of flour required by the commissary-general, must, by all means, be purchased ; that Mr. R. Morris consents, on his part, to transfer to Mr. Aylett, for continental use, a quantity of flour, purchased in Virginia by Mr. Morris and Carter Braxton, esq. to whom Mr. Aylett is desired to apply for a release of his part of the concern : if this cannot be obtained, the like quantity, and as much more as will complete the commissary general's requisition, to be forthwith procured by Mr. Aylett wheresoever the same can be bought in the state of Virginia.

That Mr. Aylett be also informed, that Congress approve of the prices offered by him for corn, and that he proceed in the purchase of the quantity wanted by Congress or the commissary-general, at as low prices as the same can be obtained.

*Ordered*, That 200,000 dollars be sent to the deputy pay-master general in the southern department.

*Ordered*, That a copy of Mr. Aylett's letter be sent to the commissary-general, and that Mr. Aylett be directed to store the grain and provisions, purchased by him on continental account, until called for by order of Congress, or the commissary-general ; and when such requisitions shall be made, the mode of transportation must be left to Mr. Aylett's discretion.

*Resolved*, That the pay of the regimental pay-masters in the army of the United States be raised to 40 dollars per month.

*Ordered*, That the case of John Jolly, and John North, of New-Jersey, prisoners, be referred to the delegates of that state.

*Resolved*, That whenever any prisoners shall be taken by the army, or by any detachment of the army of the United States, or by any body of the militia, the commanding officer shall furnish the board of war with lists of such prisoners, together with the cause and manner of their capture and detention.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

MONDAY, *March 31, 1777.*

The proceedings of a general court-martial, held at Philadelphia, the 29th of March, 1777, on James Molesworth, accused of being a spy from the enemy, and for endeavoring to inveigle three pilots into their service, to pilot the ships of war to the attack of this city, were laid before Congress, and read; and, it appearing thereby, that the said James Molesworth is found guilty of the crimes laid to his charge, and sentenced to suffer death,

*Resolved*, That Congress approve the sentence aforesaid, and confirm the orders of major-general Gates for the execution of it.

A letter, of the 26th, with two papers enclosed, and one, of the 29th, from general Washington; one, of the 11th, from the convention of New-York, with sundry papers enclosed; and one, of the 30th, from colonel Hartley, were read:

*Ordered*, That the letters from general Washington and colonel Hartley be referred to the board of war; that the letter from the convention of New-York, be referred to the delegates of that state.

*Ordered*, That 1258 dollars be paid to Messrs. Willing and Morris, and charged to the account of Esek Hopkins, the same being in full of a bill dated New-Providence, March 14, 1776, drawn by the said Esek Hopkins, in favor of Alexander Frazer, or order, and by him endorsed to Willing and Morris.

A letter from George Chardin Nicholson, and one of the 29th, from the chevalier de Celeron, were read:

*Ordered*, That the said George Chardin Nicholson, and the chevalier de Celeron, be referred to major-general Gates, who is empowered to employ them in such manner as he shall judge most for the interest of the United States.

*Ordered*, That 150 dollars be advanced to the chevalier de Celeron, to be deducted out of his future pay.

*Resolved*, That major-general Gates be empowered and directed to take with him, and employ under him in the northern department, brigadier de Roche Fermoy, and such other of the French officers in the service of the United States as he shall think proper.

A letter, of the 20th, from William Sever and Thomas Cushing, at Boston, was read.

Congress having received advice that the ship Mercury, of Nantz, is arrived at Portsmouth, in New-Hampshire, with a cargo for the United States, consisting of 11,987 fusees, 1000 barrels of powder, 11,000 gun-flints, 48 bales of woollens, 9 bales of handkerchiefs, thread, cottons, and printed linsens, 2 cases of shoes, 1 box of buttons and buckles, 1 box of lawns, and 1 case of needles and silk neckcloths;

*Ordered*, That 5000 of the arms be delivered to the order of the council of Massachusetts-Bay, for the purpose of arming the troops raised in that state for the army of the United States; and that the said council order two receipts to be taken from the several colonels, to whom the arms shall be delivered, and transmit one of the said receipts to the commissary of military stores, and the other to the board of war.

*Ordered*, That 15 tons of the powder be delivered to the order of the council of Massachusetts-Bay, to repay the powder advanced by that state, for the use of the continental army and navy, and that the said council transmit to the board of war, a particular account of the powder advanced by their state for the use of the United States, and the persons by whom delivered.

*Ordered*, That the secret committee deliver the remainder of the powder,

arms, and flints, to the order of the board of war, and the remainder of the cargo to the clothier-general, or his order.

Congress took into consideration the report of the committee on tories and disaffected persons; and, after debate,

*Ordered*, That it be re-committed.

The committee of treasury reported, on the letter of James Warren, esq.

“ That the loss sustained by James Warren, esq. whilst pay-master general, in consequence of his keeping an additional office at Cambridge, at the request of the general, for the convenience of the army, as particularly set forth in the depositions of himself, Isaac Lothrop, esq. and William Winthrop, amounting to 1401.42 dollars, ought to be allowed in the adjustment of his account at the treasury-office :”

*Ordered*, That the said allowance be made.

*Resolved*, That two members be added to the committee for revising and printing the journal.

The members chosen, Mr. J. B. Smith and Mr. Brownson.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, *April* 1, 1777.

A letter, of the 29th of March, from general Washington; one, of the 21st of the same month, from brigadier Lewis, were read:

*Ordered*, That the letter from brigadier Lewis be referred to the board of war.

*Resolved*, That Ephraim Blaine, esq. be appointed commissary for supplying, with provisions, the troops now in the county of Cumberland, in Pennsylvania, and such as may hereafter march through that county, as well as the artificers and troops, who shall be employed in the magazine and laboratory, to be erected at Carlisle.

Congress proceeded to the election of three brigadiers, and, the ballots being taken, the following gentlemen were chosen:

Colonel Edward Hand; colonel Charles Scott.

*Resolved*, That the election of the third brigadier-general be postponed till to-morrow.

An appeal being lodged from the judgment of the court of admiralty, for the state of Pennsylvania, on the libel John Baldwin *vs.* Robert Polke,

*Ordered*, That it be referred to the committee for hearing and determining appeals.

The committee on the treasury brought in a report, which was read and considered; Whereupon,

*Ordered*, That Messrs. Price & Haywood procure, of general Schuyler and the deputy pay-master general of the northern department, certificates of the specie which they have received, in consequence of an order of Congress, of the 13th of August last, and that the balance which shall appear to be due to them, on adjusting their accounts at the treasury-office, be paid by a bill of exchange, to be drawn by the president on the commissioners of the United States in France, and countersigned by the auditor-general.

*Ordered*, That the managers of the lottery of the United States, send such a number of tickets for sale, as they shall judge necessary, to the pay-master and deputy pay-master general in the northern department.

For the better regulating the pay of the army,

*Resolved*, That the pay-master or deputy pay-master general shall pay no money, but by warrants from the commanders in chief in their respective departments, countersigned by their respective secretaries; and that the money be paid only to the person specified in the warrant, or to his order in writing, excepting in cases otherwise provided by Congress.



That the regimental abstracts be made up by the regimental pay-masters at the close of every month, and certified by the respective colonels, or commanding officers and brigadiers, who shall carefully examine and compare the same with the weekly returns; after which, they shall be lodged with the pay-master, or deputy pay-master general, until orders are given for the payment.

That the regimental pay-masters only shall receive from the pay-master, or deputy pay-masters general, the money due upon abstracts to the officers and soldiers; and the said regimental pay-masters alone shall settle with, and pay, the money due to the officers and soldiers of the regiments to which they respectively belong, either in person or to their order, and take receipts for the same, to be produced as vouchers on the settlement of their respective accounts.

That officers and soldiers, who may be prisoners of war, shall be made up in the abstracts of the regiment to which they belong, to the time of their captivity, and authentic returns shall be made, with such abstracts of the names of the officers and soldiers aforesaid, their rank and the company to which they belong, the time of their captivity, and the pay that was then due. And whenever such prisoners are to be exchanged, a pay-roll shall be made out by the pay-master, or deputy pay-master general, for the pay due to them, to the time of their return, and the money shall be sent to them, and paid by the officer appointed to receive them, and their receipts immediately lodged with the pay-master or deputy pay-master general.

That whenever any regimental pay-master leaves the service, or is dismissed, he shall make a return to the pay-master or deputy pay-master general, of the names of the commissioned and non-commissioned officers and soldiers of his regiment, who remain unpaid, the sums due to them respectively, and what balance of cash he has remaining; all which shall be lodged with the pay-master, or deputy pay-master general, to be, by him, delivered to the next pay-master of the said regiment, or otherwise disposed of, as the commander in chief of the department may think proper.

That no commissioned or non-commissioned officer or soldier, coming from any department where a pay-master or deputy pay-master general is appointed, shall receive, in any other department, the pay that may be due to him, unless he produces a certificate from his colonel or commanding officer, countersigned by the pay-master, or deputy pay-master general of the department to which he belongs, of the sum bona fide due to him, and deliver the same, with a receipt thereon.

*Resolved*, That the pay of the assistant pay-masters, in the northern department, be augmented to 40 dollars a month; and that they be allowed three rations a day.

*Resolved*, That the pay of the secretary to the commander in chief be augmented to 100 dollars a month; and that colonel Harrison, the present secretary, be allowed that pay from the time of his appointment to that office.

The committee on the treasury reported,

That a warrant should be issued by the president, on the loan-officer, for the state of Pennsylvania, in favor of Robert Morris, George Clymer and George Walton, esqrs. a committee of Congress, for 215,000 dollars, for which they are to account.

That another warrant issue on the same loan-officer, in favor of the secret committee, for 10,000 dollars, for which the said committee shall account.

That James Wood, colonel of the 12th regiment of Virginia forces, in continental service, having borrowed of John Campbell, esq. 1,800 dollars for the use of his regiment, as appears by his receipts, and, at the same time, having drawn an order for the said sum, the same ought to be paid and charged to his account.



That there is due to James Warren, esq. for the pay due to him as pay-master general, from the 4th of May to the 15th of June, 1776, being 42 days, at 1200 dollars per annum, 138 6 dollars, which sum should be paid by a warrant from the president on the loan-office of the state of Massachusetts-Bay.

*Ordered*, That the said warrants be drawn, and sums paid accordingly.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That no officer already appointed, or to be hereafter appointed, in the army of the United States, shall take rank by virtue of a commission antedated, but rank shall be determined by the time of appointment, unless otherwise directed by special resolution of Congress.

*Resolved*, That it be recommended to the legislatures, and, in their recess, to the executive powers of the respective states, that they forthwith transmit to the board of war, exact lists of all officers appointed by them in the continental army, with the dates of their commissions and times of appointment.

*Ordered*, That major-general St. Clair repair to Ticonderoga, and serve under general Gates; and that previous to his setting out, he repair immediately to Philadelphia, and there wait the farther orders of Congress.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, April 2, 1777.

A letter, of the 31st of March, from general Washington, and one, of the 19th of the same month, from the chevalier de Preudhome de Borre, were read.

*Ordered*, That the letter from the general be referred to the board of war.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the pay-master, and deputy pay-master general, at the end of every month, after the first day of May next, shall make up rolls, containing the names of the general and other officers of the army, to which they respectively belong, who are not comprised in the regimental abstracts, excepting only the commander in chief of the several departments, who shall respectively examine such rolls, and issue their warrants on the pay-master or deputy pay-master general, for the sums due on the same.

That the commanders in chief of the several departments be directed to order payment to such officers and detachments of the army, as shall, at any time, be ordered to other departments, to be made to the day of their marching or leaving the camp, and that certificates be given by the respective pay-master or deputy pay-master general, mentioning the names of such officers and corps, together with the time to which they are paid, which certificates shall be delivered by the commanding officer of the respective detachments, or by such officers as shall be ordered without detachments, to the pay-master or deputy pay-master general of the department to which they are ordered, to enable him to examine and make up their future rolls and abstracts.

The committee appointed to confer with generals Gates and Green, brought in a report, and desired leave to sit again.

*Ordered*, That they have leave, and that Mr. J. B. Smith be added to the said committee.

Congress proceeded to the election of a third brigadier, and, the ballots being taken,

Colonel Ebenezer Learned was chosen.

*Ordered*, That a copy of the letter, this day received from general Washington, be sent to the council of Pennsylvania and to the governors of Delaware, Maryland and Virginia, and that governor Johnson, of Maryland, be requested to give orders for the immediate removal of the powder and mili-

tary stores at Annapolis to the town of Frederick, in Maryland, and the powder and military stores at Baltimore, to the town of Carlisle, in Pennsylvania, and take measures to have this done with all possible expedition.

Congress resumed the consideration of the report of the medical committee on the hospital, and, after debate,

*Ordered*, That the same lie for farther consideration.

*Ordered*, That a committee of three be appointed to revise Dr. Shippen's plan for regulating the hospital, and report thereon.

The members chosen, Mr. Gerry, Mr. Burke and Mr. J. Adams.

*Ordered*, That Mr. Sergeant have leave of absence, to visit his family.

*Ordered*, That the board of war grant such reward, as they judge proper, to the pilots who discovered and informed against James Molesworth.

The several matters to this day referred, being postponed,

Adjoined to ten o'clock on Friday.

FRIDAY, April 4, 1777.

Mr. Sykes, one of the delegates from Delaware, attended, and produced the credentials of his appointment, which were read as follows :

"IN COUNCIL, February 22, 1777.

"Whereas Nicholas Van Dyke and James Sykes, esqrs. have been chosen, by joint ballot of both houses in the general assembly, to represent the Delaware state in the Continental Congress, in the room and stead of John Dickinson and John Evans, esqrs. *Resolved*, That they, together with George Read, esq. or any one or more of them, are hereby fully authorized and empowered, for and in behalf of this state, to concert, agree to, and execute any measure, which they or he, together with a majority of the Continental Congress, shall judge necessary, for the defence, security, interest, and welfare of this state in particular, and America in general, with power to adjourn to such times and places, as shall appear most conducive to the public safety and advantage. Sent for concurrence.

"*Eodem die*, in assembly, read and concurred.

"Extract from the minutes,

"SLATOR CLAY, *Clerk of the Council.*"

Brigadier Armstrong having requested leave to resign, and, for that purpose, enclosed his commission,

*Ordered*, That he have leave, and that his resignation be accepted.

A remonstrance and petition from sundry persons in York-Town, in Pennsylvania, was read.

*Ordered*, That the same, together with the papers enclosed, be referred to the board of treasury.

*Ordered*, That the board of treasury settle the accounts of colonel Hand, who is promoted to the rank of brigadier, in order that he may deliver up his regiment, and enter upon the duties of his new office as soon as possible.

The secret committee having, by direction of Congress, in their resolve of the first of December last, appointed Messrs. Abraham Livingston and William Turnbull, agents, to repair to the eastern states, for the purpose of purchasing and collecting clothing for the use of the army, which business they have assiduously performed, and for which purpose, the said committee advanced to the said agents 20,000 dollars at the time they set out, and the farther sum of 120,000 dollars, granted to them for that purpose, the 15th of February last, as appears by the order of Congress of that date, and the receipts of these two sums are acknowledged by the said agents, in their letters dated the 19th and 22d of March last: It also appearing, that the said agents have drawn sundry bills on the said committee, which are not yet paid: and whereas, general Washington, agreeably to the powers vested in him by

Congress, has lately appointed James Mease, esq. clothier-general for the American army, whose business it now is to settle and adjust all accounts respecting the clothing of the army ; therefore,

*Resolved*, That the secret committee be credited in the treasury books for 140,000 dollars paid by them to the said Messrs. Abraham Livingston and William Turnbull, and that the same be charged to James Mease, esq. who is to settle all accounts, with the said agents, respecting the business in which they have been employed, and to pay the draughts they have drawn, or may rightfully draw on the said committee, or on him as clothier-general, and that he also be empowered to make them reasonable compensation for their services.

The committee appointed to confer with general Green, brought in a farther report, which was taken into consideration ; Whereupon,

*Resolved*, That there be one commissary-general of musters for the army of the United States :

That there be four deputy muster-masters general :

That the said appointments be made by Congress :

That one deputy muster-master be appointed to each grand division of the army, and that these appointments be made by the commander in chief :

That the troops be mustered, once in every month, by the deputy muster-masters, and once, at least, in every three months, the deputy muster-master general of each department shall superintend at such muster :

That, in mustering, particular attention be paid to the clothes, arms, accoutrements, and pay of the troops, and a report made to the commanding officer of the department, of neglect or deficiency :

That, on every muster, five rolls be made out by the captain or commanding officer of every company or troop, sworn to and signed by him and one other commissioned officer ; one of which rolls shall be returned to him, certified by the officer of musters, one other shall be transmitted to the board of treasury, one to the pay-master general of the department, and one to the regimental pay-master, to be affixed to the pay-rolls :

That the deputy muster-master general of each department, return an abstract of each muster-roll once a month, to the deputy adjutant-general of that department, and one other abstract to the commissary-general of musters :

That the commissary-general of musters return to the adjutant-general, once a month, an abstract of all the musters, regimentally digested, together with an abstract of the rations drawn or retained by the several regiments :

That the issuing-commissaries be obliged to deliver monthly to the commissary-general of musters, an abstract of the rations drawn or retained by the several regiments :

That the adjutant-general be ordered to send monthly to the board of war, a copy of the abstracts, which he received from the commissary-general of musters, together with an abstract of the returns of the army :

That the pay of the commissary-general of musters be 60 dollars a month, and 4 rations a day :

That the pay of the deputy muster-master general be 50 dollars a month, and 3 rations a day :

That the pay of a muster-master be 35 dollars a month, and two rations a day :

That the board of war send to the board of treasury, copies of the abstracts of rations that may be included in the adjutant-general's returns.

*Ordered*, That Monday next be assigned for the appointment of the commissary-general of musters, and deputy muster-masters general.

*Resolved*, That every officer, commanding a regiment, troop, or company, who shall, upon notice given to him by any officer of musters, refuse or neglect to assemble the regiment, troop, or company, under his command, shall, on proof thereof, before a general court-martial, be cashiered.

A letter, of the 18th of December last, from George Galphin, was read :

**Ordered,** That the same, with the papers enclosed, be referred to the committee on Indian affairs.

**Resolved,** That the body of militia, applied for to the state of North Carolina, during the last winter, by the state of South-Carolina, then under apprehension of an invasion from the enemy, be considered as part of the 5000 militia, recommended by Congress to be embodied by the state of North-Carolina, for the assistance of South Carolina or Virginia, as occasion might require, and that the expense, thereby accruing, be defrayed out of the continental treasury.

**Resolved,** That all captures made, or to be made, by vessels bearing commissions, issued by the president of South-Carolina, previous to this 4th day of April, be considered as valid, as if made under continental commissions, and that a copy of this resolve be transmitted to each of the United States, as a law in any prize-cause, which may be depending or instituted in any of the courts therein, and to secure the condemnation of vessels taken under such commissions, Congress having been made acquainted, that Mr. President Rutledge has granted commissions for letters of marque and privateers, for want of proper information, that by a former resolve of Congress such commissions were to be granted by Congress only.

**Resolved,** That the invitation given, at the desire of Mr. President Rutledge by Mr. Galphin, to the Creek Indians, to form a Congress in the ensuing spring, be approved ; that the state of South-Carolina be reimbursed the expenses, which may attend such meeting, and that Mr. Galphin do use his endeavours to persuade some of the Creek chiefs to attend him to Philadelphia, and that Congress will defray the charges of their journey.

The board of war brought in a report, which was taken into consideration ; Whereupon,

**Resolved,** That blank commissions be sent to Henry Fisher, of Lewistown, with orders, to raise, on the continental establishment, an independent company, for the safeguard of the pilots and the persons and goods of other well affected inhabitants and subjects of these states, residing, or being near Lewistown and the coasts of Delaware-bay ; and that Mr. Fisher be informed, that if he chooses to accept the command of the company, Congress will confirm him therein ; but, if he should decline the acceptance thereof, that he be desired to nominate a proper person to fill that station, and in either case, that he nominate the subalterns.

**Resolved,** That the managers of the lottery of the United States be empowered to order monies, arising from the sales of tickets in those states, where there are no commissioners of the loan-office, to be paid into the treasury of such state, the said state to be accountable.

That the managers of the lottery of the United States be authorized to defer the drawing of the said lottery, if they find it necessary.

The committee on the treasury reported,

That there is due to James Smythers, for a copper-plate and planishing, made by David Cummings, for the purpose of printing the loan-office certificates, and engraving the same, 37.60 dollars.

To Gerard Hopkins, for 26 cloak-pins, and putting them up, for the use of Congress, at Baltimore, 3.24 dollars.

That R. R. Livingston, R. T. Paine and J. Langdon, esqrs. a committee of Congress, who, in November, 1775, repaired to Ticonderoga, expended on the journey 510.43½ dollars, for which they ought to have credit, together with the sum of 101 dollars, returned by Mr. Paine into the hands of John Gibson, esq. the auditor-general, with which he is to be charged.

**Ordered,** That the said sums be paid, and the said credit and debit made accordingly.

Congress took into consideration the letter from gen. Lee ; Whereupon,  
*Resolved*, That Congress still judge it improper to send any of their members to confer with general Lee upon the subjects mentioned in his letter.

*Ordered*, That 500 dollars be advanced to the board of war for contingent services ; the said board to be accountable.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That 20,000 dollars be paid to Mr. Robert Wood, pay-master of col. James Wood's regiment, raised in the state of Virginia, for the use of the said regiment, the colonel to be accountable, he having requested the supply by his letter of the 23d instant.

*Resolved*, That the marine committee be authorized to advance to every able seaman that enters into the continental service, any sum, not exceeding 40 dollars, and to every ordinary seaman or landsman, any sum, not exceeding 20 dollars ; to be deducted from their future prize-money.

The committee, to whom the letter from the committee of Lancaster, in Pennsylvania, to the delegates of that state, together with the papers therein enclosed, were referred, brought in a report, which was read and considered : Whereupon, Congress came to the following resolution :

Whereas Edmund Minyer, adjutant of the regiment commanded by col. Moses Hazen, stands charged by an inquisition, taken before the coroner of the county of Lancaster, in Pennsylvania, with the murder of Jacob Gross, late of the said county, deceased ;

*Resolved*, That the said Edmund Minyer be delivered to the civil authority of Pennsylvania, that he may receive his trial according to law.

The board of war brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That Mr. Aylett, deputy commissary-general in Virginia, be informed, in answer to his letter of the 14th instant, that the quantity of flour required by the commissary-general, must, by all means, be purchased ; that Mr. R. Morris consents, on his part, to transfer to Mr. Aylett, for continental use, a quantity of flour, purchased in Virginia by Mr. Morris and Carter Braxton, esq. to whom Mr. Aylett is desired to apply for a release of his part of the concern : if this cannot be obtained, the like quantity, and as much more as will complete the commissary general's requisition, to be forthwith procured by Mr. Aylett wheresoever the same can be bought in the state of Virginia.

That Mr. Aylett be also informed, that Congress approve of the prices offered by him for corn, and that he proceed in the purchase of the quantity wanted by Congress or the commissary-general, at as low prices as the same can be obtained.

*Ordered*, That 200,000 dollars be sent to the deputy pay-master general in the southern department.

*Ordered*, That a copy of Mr. Aylett's letter be sent to the commissary-general, and that Mr. Aylett be directed to store the grain and provisions, purchased by him on continental account, until called for by order of Congress, or the commissary-general ; and when such requisitions shall be made, the mode of transportation must be left to Mr. Aylett's discretion.

*Resolved*, That the pay of the regimental pay-masters in the army of the United States be raised to 40 dollars per month.

*Ordered*, That the case of John Jolly, and John North, of New-Jersey, prisoners, be referred to the delegates of that state.

*Resolved*, That whenever any prisoners shall be taken by the army, or by any detachment of the army of the United States, or by any body of the militia, the commanding officer shall furnish the board of war with lists of such prisoners, together with the cause and manner of their capture and detention.



The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

MONDAY, *March* 31, 1777.

The proceedings of a general court-martial, held at Philadelphia, the 29th of March, 1777, on James Molesworth, accused of being a spy from the enemy, and for endeavoring to inveigle three pilots into their service, to pilot the ships of war to the attack of this city, were laid before Congress, and read; and, it appearing thereby, that the said James Molesworth is found guilty of the crimes laid to his charge, and sentenced to suffer death,

*Resolved*, That Congress approve the sentence aforesaid, and confirm the orders of major-general Gates for the execution of it.

A letter, of the 26th, with two papers enclosed, and one, of the 29th, from general Washington; one, of the 11th, from the convention of New-York, with sundry papers enclosed; and one, of the 30th, from colonel Hartley, were read:

*Ordered*, That the letters from general Washington and colonel Hartley be referred to the board of war; that the letter from the convention of New-York, be referred to the delegates of that state.

*Ordered*, That 1258 dollars be paid to Messrs. Willing and Morris, and charged to the account of Esek Hopkins, the same being in full of a bill dated New-Providence, March 14, 1776, drawn by the said Esek Hopkins, in favor of Alexander Frazer, or order, and by him endorsed to Willing and Morris.

A letter from George Chardin Nicholson, and one of the 29th, from the chevalier de Celeron, were read:

*Ordered*, That the said George Chardin Nicholson, and the chevalier de Celeron, be referred to major-general Gates, who is empowered to employ them in such manner as he shall judge most for the interest of the United States.

*Ordered*, That 150 dollars be advanced to the chevalier de Celeron, to be deducted out of his future pay.

*Resolved*, That major-general Gates be empowered and directed to take with him, and employ under him in the northern department, brigadier de Roche Fermoy, and such other of the French officers in the service of the United States as he shall think proper.

A letter, of the 20th, from William Sever and Thomas Cushing, at Boston, was read.

Congress having received advice that the ship Mercury, of Nantz, is arrived at Portsmouth, in New-Hampshire, with a cargo for the United States, consisting of 11,987 fusees, 1000 barrels of powder, 11,000 gun-flints, 48 bales of woollens, 9 bales of handkerchiefs, thread, cottons, and printed lincens, 2 cases of shoes, 1 box of buttons and buckles, 1 box of lawns, and 1 case of needles and silk neckcloths;

*Ordered*, That 5000 of the arms be delivered to the order of the council of Massachusetts-Bay, for the purpose of arming the troops raised in that state for the army of the United States; and that the said council order two receipts to be taken from the several colonels, to whom the arms shall be delivered, and transmit one of the said receipts to the commissary of military stores, and the other to the board of war.

*Ordered*, That 15 tons of the powder be delivered to the order of the council of Massachusetts-Bay, to repay the powder advanced by that state, for the use of the continental army and navy, and that the said council transmit to the board of war, a particular account of the powder advanced by their state for the use of the United States, and the persons by whom delivered.

*Ordered*, That the secret committee deliver the remainder of the powder,



arms, and flints, to the order of the board of war, and the remainder of the cargo to the clothier-general, or his order.

Congress took into consideration the report of the committee on tories and disaffected persons; and, after debate,

*Ordered*, That it be re-committed.

The committee of treasury reported, on the letter of James Warren, esq.

"That the loss sustained by James Warren, esq. whilst pay-master general, in consequence of his keeping an additional office at Cambridge, at the request of the general, for the convenience of the army, as particularly set forth in the depositions of himself, Isaac Lothrop, esq. and William Winthrop, amounting to 1401.42 dollars, ought to be allowed in the adjustment of his account at the treasury-office:"

*Ordered*, That the said allowance be made.

*Resolved*, That two members be added to the committee for revising and printing the journal.

The members chosen, Mr. J. B. Smith and Mr. Brownson.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, *April* 1, 1777.

A letter, of the 29th of March, from general Washington; one, of the 21st of the same month, from brigadier Lewis, were read:

*Ordered*, That the letter from brigadier Lewis be referred to the board of war.

*Resolved*, That Ephraim Blaine, esq. be appointed commissary for supplying, with provisions, the troops now in the county of Cumberland, in Pennsylvania, and such as may hereafter march through that county, as well as the artificers and troops, who shall be employed in the magazine and laboratory, to be erected at Carlisle.

Congress proceeded to the election of three brigadiers, and, the ballots being taken, the following gentlemen were chosen:

Colonel Edward Hand; colonel Charles Scott.

*Resolved*, That the election of the third brigadier-general be postponed till to-morrow.

An appeal being lodged from the judgment of the court of admiralty, for the state of Pennsylvania, on the libel John Baldwin *vs.* Robert Polke,

*Ordered*, That it be referred to the committee for hearing and determining appeals.

The committee on the treasury brought in a report, which was read and considered; Whereupon,

*Ordered*, That Messrs. Price & Haywood procure, of general Schuyler and the deputy pay-master general of the northern department, certificates of the specie which they have received, in consequence of an order of Congress, of the 13th of August last, and that the balance which shall appear to be due to them, on adjusting their accounts at the treasury-office, be paid by a bill of exchange, to be drawn by the president on the commissioners of the United States in France, and countersigned by the auditor-general.

*Ordered*, That the managers of the lottery of the United States, send such a number of tickets for sale, as they shall judge necessary, to the pay-master and deputy pay-master general in the northern department.

For the better regulating the pay of the army,

*Resolved*, That the pay-master or deputy pay-master general shall pay no money, but by warrants from the commanders in chief in their respective departments, countersigned by their respective secretaries; and that the money be paid only to the person specified in the warrant, or to his order in writing, excepting in cases otherwise provided by Congress.

That the regimental abstracts be made up by the regimental pay-masters at the close of every month, and certified by the respective colonels, or commanding officers and brigadiers, who shall carefully examine and compare the same with the weekly returns; after which, they shall be lodged with the pay-master, or deputy pay-master general, until orders are given for the payment.

That the regimental pay-masters only shall receive from the pay-master, or deputy pay-masters general, the money due upon abstracts to the officers and soldiers; and the said regimental pay-masters alone shall settle with, and pay, the money due to the officers and soldiers of the regiments to which they respectively belong, either in person or to their order, and take receipts for the same, to be produced as vouchers on the settlement of their respective accounts.

That officers and soldiers, who may be prisoners of war, shall be made up in the abstracts of the regiment to which they belong, to the time of their captivity, and authentic returns shall be made, with such abstracts of the names of the officers and soldiers aforesaid, their rank and the company to which they belong, the time of their captivity, and the pay that was then due. And whenever such prisoners are to be exchanged, a pay-roll shall be made out by the pay-master, or deputy pay-master general, for the pay due to them, to the time of their return, and the money shall be sent to them, and paid by the officer appointed to receive them, and their receipts immediately lodged with the pay-master or deputy pay-master general.

That whenever any regimental pay-master leaves the service, or is dismissed, he shall make a return to the pay-master or deputy pay-master general, of the names of the commissioned and non-commissioned officers and soldiers of his regiment, who remain unpaid, the sums due to them respectively, and what balance of cash he has remaining; all which shall be lodged with the pay-master, or deputy pay-master general, to be, by him, delivered to the next pay-master of the said regiment, or otherwise disposed of, as the commander in chief of the department may think proper.

That no commissioned or non-commissioned officer or soldier, coming from any department where a pay-master or deputy pay-master general is appointed, shall receive, in any other department, the pay that may be due to him, unless he produces a certificate from his colonel or commanding officer, countersigned by the pay-master, or deputy pay-master general of the department to which he belongs, of the sum bona fide due to him, and deliver the same, with a receipt thereon.

*Resolved*, That the pay of the assistant pay-masters, in the northern department, be augmented to 40 dollars a month; and that they be allowed three rations a day.

*Resolved*, That the pay of the secretary to the commander in chief be augmented to 100 dollars a month; and that colonel Harrison, the present secretary, be allowed that pay from the time of his appointment to that office.

The committee on the treasury reported,

That a warrant should be issued by the president, on the loan-officer, for the state of Pennsylvania, in favor of Robert Morris, George Clymer and George Walton, esqrs. a committee of Congress, for 215,000 dollars, for which they are to account.

That another warrant issue on the same loan-officer, in favor of the secret committee, for 10,000 dollars, for which the said committee shall account.

That James Wood, colonel of the 12th regiment of Virginia forces, in continental service, having borrowed of John Campbell, esq. 1,800 dollars for the use of his regiment, as appears by his receipts, and, at the same time, having drawn an order for the said sum, the same ought to be paid and charged to his account.

That there is due to James Warren, esq. for the pay due to him as pay-master general, from the 4th of May to the 15th of June, 1776, being 42 days, at 1200 dollars per annum, 138 6 dollars, which sum should be paid by a warrant from the president on the loan-office of the state of Massachusetts-Bay.

*Ordered*, That the said warrants be drawn, and sums paid accordingly.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That no officer already appointed, or to be hereafter appointed, in the army of the United States, shall take rank by virtue of a commission antedated, but rank shall be determined by the time of appointment, unless otherwise directed by special resolution of Congress.

*Resolved*, That it be recommended to the legislatures, and, in their recess, to the executive powers of the respective states, that they forthwith transmit to the board of war, exact lists of all officers appointed by them in the continental army, with the dates of their commissions and times of appointment.

*Ordered*, That major-general St. Clair repair to Ticonderoga, and serve under general Gates ; and that previous to his setting out, he repair immediately to Philadelphia, and there wait the farther orders of Congress.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, April 2, 1777.

A letter, of the 31st of March, from general Washington, and one, of the 19th of the same month, from the chevalier de Preudhome de Borre, were read.

*Ordered*, That the letter from the general be referred to the board of war.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the pay-master, and deputy pay-master general, at the end of every month, after the first day of May next, shall make up rolls, containing the names of the general and other officers of the army, to which they respectively belong, who are not comprised in the regimental abstracts, excepting only the commander in chief of the several departments, who shall respectively examine such rolls, and issue their warrants on the pay-master or deputy pay-master general, for the sums due on the same.

That the commanders in chief of the several departments be directed to order payment to such officers and detachments of the army, as shall, at any time, be ordered to other departments, to be made to the day of their marching or leaving the camp, and that certificates be given by the respective pay-master or deputy pay-master general, mentioning the names of such officers and corps, together with the time to which they are paid, which certificates shall be delivered by the commanding officer of the respective detachments, or by such officers as shall be ordered without detachments, to the pay-master or deputy pay-master general of the department to which they are ordered, to enable him to examine and make up their future rolls and abstracts.

The committee appointed to confer with generals Gates and Green, brought in a report, and desired leave to sit again.

*Ordered*, That they have leave, and that Mr. J. B. Smith be added to the said committee.

Congress proceeded to the election of a third brigadier, and, the ballots being taken,

Colonel Ebenezer Learned was chosen.

*Ordered*, That a copy of the letter, this day received from general Washington, be sent to the council of Pennsylvania and to the governors of Delaware, Maryland and Virginia, and that governor Johnson, of Maryland, be requested to give orders for the immediate removal of the powder and mili-

tary stores at Annapolis to the town of Frederick, in Maryland, and the powder and military stores at Baltimore, to the town of Carlisle, in Pennsylvania, and take measures to have this done with all possible expedition.

Congress resumed the consideration of the report of the medical committee on the hospital, and, after debate,

*Ordered*, That the same lie for farther consideration.

*Ordered*, That a committee of three be appointed to revise Dr. Shippen's plan for regulating the hospital, and report thereon.

The members chosen, Mr. Gerry, Mr. Burke and Mr. J. Adams.

*Ordered*, That Mr. Sergeant have leave of absence, to visit his family.

*Ordered*, That the board of war grant such reward, as they judge proper, to the pilots who discovered and informed against James Molesworth.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Friday.

FRIDAY, *April 4, 1777.*

Mr. Sykes, one of the delegates from Delaware, attended, and produced the credentials of his appointment, which were read as follows :

"IN COUNCIL, *February 22, 1777.*

"Whereas Nicholas Van Dyke and James Sykes, esqrs. have been chosen, by joint ballot of both houses in the general assembly, to represent the Delaware state in the Continental Congress, in the room and stead of John Dickinson and John Evans, esqrs. *Resolved*, That they, together with George Read, esq. or any one or more of them, are hereby fully authorized and empowered, for and in behalf of this state, to concert, agree to, and execute any measure, which they or he, together with a majority of the Continental Congress, shall judge necessary, for the defence, security, interest, and welfare of this state in particular, and America in general, with power to adjourn to such times and places, as shall appear most conducive to the public safety and advantage. Sent for concurrence.

"*Eodem die*, in assembly, read and concurred.

"Extract from the minutes,

"SLATOR CLAY, *Clerk of the Council.*"

Brigadier Armstrong having requested leave to resign, and, for that purpose, enclosed his commission,

*Ordered*, That he have leave, and that his resignation be accepted.

A remonstrance and petition from sundry persons in York-Town, in Pennsylvania, was read.

*Ordered*, That the same, together with the papers enclosed, be referred to the board of treasury.

*Ordered*, That the board of treasury settle the accounts of colonel Hand, who is promoted to the rank of brigadier, in order that he may deliver up his regiment, and enter upon the duties of his new office as soon as possible.

The secret committee having, by direction of Congress, in their resolve of the first of December last, appointed Messrs. Abraham Livingston and William Turnbull, agents, to repair to the eastern states, for the purpose of purchasing and collecting clothing for the use of the army, which business they have assiduously performed, and for which purpose, the said committee advanced to the said agents 20,000 dollars at the time they set out, and the farther sum of 120,000 dollars, granted to them for that purpose, the 15th of February last, as appears by the order of Congress of that date, and the receipts of these two sums are acknowledged by the said agents, in their letters dated the 19th and 22d of March last: It also appearing, that the said agents have drawn sundry bills on the said committee, which are not yet paid: and whereas, general Washington, agreeably to the powers vested in him by

that the first-mentioned draught for £ 600, New-York currency, should be charged to Mr. Winslow, until he renders to the commissioners for settling accounts, vouchers of the expenditure of the provisions for the payment of which he drew his bill ;” Whereupon,

*Ordered*, That the said sum be paid and charged accordingly.

A letter, of the 28th of March, from governor Henry, of Virginia, and a petition from sundry inhabitants of the New-Hampshire grants, accompanied with a number of papers, were read :

*Ordered*, That the letter from governor Henry be referred to the board of war : that the petition, with the papers accompanying it, lie on the table.

*Resolved*, That a committee of three be appointed to prepare a plan for regulating the mode of receiving applications made to Congress.

The members chosen, Mr. Gerry, Mr. S. Adams, and Mr. Ellery.

*Ordered*, That the report of the committee of the whole house, on the articles of confederation, be taken into consideration on Monday next, and that two days in each week be employed on that subject, until it shall be wholly discussed in Congress.

The committee on the treasury reported, that there is due, to Frederick Bicking, for 140 reams of paper for continental bills of credit, 1400 dollars :

To William Semple, Benjamin Harbeson and Jonathan B. Smith, for the expense of conveying a wagon to Cambridge, and for conducting col. Kirkland and son, prisoners, from Cambridge to Philadelphia, from 9th December to 16th January, £.134 8 2, equal to 358.38 dollars :

That there should be advanced to the state of Pennsylvania, agreeable to the request of the council of the said state, the sum of 100,000 dollars, the said state to be accountable :

That there should be paid to the honorable board of war, to be by them sent to Jonathan Trumbull, esq. deputy pay-master general, for the use of the northern army, the sum of 400,000 dollars :

That there should be advanced to James Mease, esq. for the purpose of clothing the army, the sum of 100,000 dollars :

*Ordered*, That the said sums be paid.

*Resolved*, That Michael Hillegas, esq. treasurer, be directed to send from Baltimore to John Gibson, esq. auditor-general, for public service, the sum of one million of dollars.

The committee on departments, brought in a report, which was read :

*Ordered*, That it be taken into consideration on Thursday next.

The committee, to whom it was referred to consider what honors should be paid to the memories of generals Warren and Mercer, brought in a report, which, being read, was agreed to as follows :

That a monument be erected to the memory of general Warren, in the town of Boston, with the following inscription :

In honor of  
JOSEPH WARREN,  
Major-general of Massachusetts-Bay :  
He devoted his life to the liberties  
Of his country ;  
And, in bravely defending them, fell  
An early victim,  
In the battle of Bunker's-Hill,  
June 17, 1776.  
The Congress of the United States,  
As an acknowledgement of his services,  
And distinguished merit,  
Have erected this monument  
To his memory.

That a monument be erected to the memory of general Mercer, in Fredericksburg, in the state of Virginia, with the following inscription :



Sacred to the memory of  
**HUGH MERCER,**  
 Brigadier-general in the army of  
 The United States;  
 He died on the 12th of January, 1777, of the  
 Wounds he received on the 3d of the same month,  
 Near Princetown, in New-Jersey,  
 Bravely defending the  
 Liberties of America.  
 The Congress of the United States,  
 In testimony of his virtues, and their gratitude,  
 Have caused this monument to be erected.

That the eldest son of general Warren, and the youngest son of general Mercer, be educated, from this time, at the expense of the United States.

*Resolved*, That the following gentlemen be appointed officers in the regiment commanded by colonel Hazen:

Matthew M'Connel, Robert Burns, John Carlisle, Benjamin Chambers, James Randolph Reid, William Popham, John Thompson and James Heron, captains.

— Duncan, William Erskine, Michael Gilbert, John Hughes, Reuben Taylor, Samuel Alexander, Thomas Piey and Robert Campbell, first-lieutenants.

John Gibson, Michael Montgomery, James Stedman, Alexander Teas, William M'Michael, James Anderson, Robert Craig and William Stewart, second-lieutenants; James Thompson, quarter-master.

*Resolved*, That it be recommended to the governor and council of safety of New-Jersey, not to call into the field, such part of their militia, not exceeding forty, as are necessarily employed in the salt-works, now erecting in their state, by the government of Pennsylvania, provided it be not inconsistent with the laws of that state.

A letter, of the 5th, from general Washington, with a letter and papers enclosed from the chevalier de Preudhomme de Borre, also, a letter, of the 2d, from the convention of New-York, were read:

*Ordered*, That the letter from general Washington, with the papers enclosed, be referred to the committee on foreign applications.

That the letter from the convention of New-York be referred to the board of war.

Congress resumed the consideration of the report on the hospital; Whereupon,

*Resolved*, That in time of action and on any other emergency, when the regimental surgeons are not sufficient in number to attend properly to the sick and wounded, that cannot be removed to the hospitals, the director, or deputy director-general of the district, be empowered and required, upon the request of the physician and surgeon-general of the army, to send, from the hospitals under his care, to the assistance of such sick or wounded, as many physicians and surgeons as can possibly be spared from the necessary business of the hospitals.

That the director, deputy directors-general, assistant deputy directors, physicians and surgeons-general, be, and they are hereby required and directed to employ such parts of their time, as may conveniently be spared from the duties before pointed out to them, in visiting and prescribing for the sick and wounded of the hospitals under their care.

That the establishment of the medical department be as follows:

Director-general,	6 dollars a day	Physican and surgeon-general	dolls.	rations.
	and 9 rations,	of the army,	5 do.	6 do.
Deputy director general,	5 do.	Senior Surgeons, each,	4 do.	6 do.
Assistant-deputy director,	3 do.	Second Surgeons, each,	2 do.	4 do.
Physician-general and	} 5 do.	Surgeons' mates, each,	1½ do.	2 do.
Surgeon-general each,		Apothecaries-general, each,	3 do.	6 do.



Ditto	mates, each,	1½d dolls.	2 rations.	Matron,	½ dolls.	1 rations
Commissary,		2 do.	4 do.	Nurses, each,	24-90ths	1 do.
Clerk, who is to be pay-master,		2 do.	4 do.	Stabler.	1 do.	1 do.
Assistant-clerks, each,		2-3ds do.	1 do.	Regimental-surgeons,	2 do.	4 do.
Stewards, each,		1 do.	2 do.	Ditto	mates, each,	1½d do. 2 do.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, April 9, 1777.

A letter, of the 8th, from gen. Putman, at Princeton, was read:

*Ordered*, That a copy of the said letter be delivered, by the delegates of Pennsylvania, to the executive council of the said state.

*Ordered*, That 1300 dollars be advanced to Robert Erwin, wagon-master general, for the public service, he to be accountable.

A certificate from Artemas Ward, respecting Joseph Ward, was laid before Congress and read:

*Ordered*, That it be referred to the board of treasury.

A petition from sundry inhabitants of the town of Westmoreland, was read.

*Ordered*, To lie on the table.

*Resolved*, That a committee of five be appointed to consider what steps are proper to be immediately taken by Congress, and recommended to the state of Pennsylvania, for opposing the enemy, if they should attempt to penetrate through New-Jersey, or to attack Philadelphia:

That the said committee be instructed to confer on these subjects with the executive power of the state of Pennsylvania, and with the general officers now in Philadelphia.

The members chosen, Mr. Wilson, Mr. Clymer, Mr. R. H. Lee, Mr. Clark and Mr. J. Adams.

Sundry persons being nominated for the office of commissary-general of musters,

*Resolved*, That the election be postponed till to-morrow.

*Ordered*, That to-morrow be assigned for nominating gentlemen for the offices of director and deputy directors-general, physicians-general and surgeons-general of the military-hospital, and of physicians and surgeons-general of the respective armies, and that the election be on the day following.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the commissary-general of military-stores, be directed immediately to furnish as many rifles, not exceeding 1000, to be sent to Fort-Pitt, as he can procure, and that the quarter-master general furnish such things as are in his department, for the use of the troops stationed at Pittsburg, and on the frontiers of Virginia and Pennsylvania, agreeable to a list furnished by colonel George Morgan.

That an experienced officer be sent to Fort-Pitt, to take the command on the frontiers aforesaid, and to embody such of the militia, not exceeding 1000, there, as he shall think adequate to the defence of the country.

That the 200 men, directed by Congress to be raised by a resolution on the 8th of January last, shall not be called to any other service, without their consent, than that expressed in the said resolution.

That one ton of lead be sent to Pittsburg from Philadelphia.

That the governor of Virginia be desired to send four tons of lead from that state to Pittsburg.

*Resolved*, That Jacob Bauer be appointed a captain, and Lawrence Meyer a first-lieutenant, in the corps commanded by major Ottendorf.

*Resolved*, That it be recommended to the good people of the states, to furnish the commissary-general of military stores, with all such articles as

he may want for the use of the army, at a reasonable price: and that the several legislatures, or executive powers of the states, be desired to exempt from military duty all persons in the militia, who are or shall be employed in casting shot, and manufacturing military stores of every species, while such persons shall be employed in the said service.

The committee on the treasury reported,

That there is due to Christopher Ludwig, for maintaining Hessian prisoners, and for cash paid to several Hessian deserters who brought in their arms, 123.84 dollars.

*Ordered*, That the said account be paid.

The board of treasury brought in a report, which was taken into consideration; Whereupon, Congress came to the following resolution:

To remedy the inconveniences arising from the payment of money by several pay-masters in the same department,

*Resolved*, That the pay-master, and deputy pay-masters general, be directed forthwith to consult the commanders in chief of their respective districts, and appoint deputies to repair to such posts and places of rendezvous, and answer the draughts of such officers stationed thereat, as the said commanders in chief shall respectively direct; that the deputies be supplied with money by the respective pay-master and deputy pay-masters general, and account with them therefor, and that all other pay-masters of the army cease to act at the posts and places provided with deputies as aforesaid.

*Resolved*, That Mr. James Mease, and Mr. Richard Dallam, be directed, forthwith, to prepare, and render to the commissioners for settling the accounts of the army in the states of New-York and New-Jersey, their respective accounts for monies advanced to them by the United States, excepting only the sums received by the former as clothier-general of the army; and the commissioners are directed to attend, without delay, to the settlement of their accounts.

That the commissioners to be appointed to examine such claims against the United States as may be presented to Congress for payment, when a necessary attention to their other duties will admit thereof, shall adjust the accounts of any public bodies, person or persons whatever, to whom money has been advanced by the United States, which may be referred to them by Congress or the board of treasury.

*Resolved*, That the pay of the last mentioned commissioners be 4 dollars a day.

*Ordered*, That the secret committee sell to the delegates of New-Jersey, a quantity of sulphur, not exceeding 1000 lb. if the same can be spared.

*Resolved*, That Timothy Hughes be appointed a captain in colonel Livingston's regiment.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, April 10, 1777.

A letter, of the 8th, from general Mifflin; a petition from Allen M'Donald, a prisoner at Reading; a petition from Thomas Lowry, and a letter, of the 7th, from Joseph Borden, and one, of the 8th, from Christian Febiger, were read.

*Ordered*, That the petition from Thomas Lowry, be referred to the board of treasury.

That the letter from Joseph Borden, esq. be referred to the board of war; and that they return a box of cartridges to the county of Burlington, in lieu of the box belonging to them, which was expended by continental troops.

*Resolved*, That 1000 dollars be advanced to lieutenant-colonel Christian Febiger, for the use of his regiment; he to account with the pay-master general, when the first pay-roll is made up for the said regiment.

*Resolved*, That an order for 40,000 dollars be drawn on the commissioners of the loan-office for the state of Pennsylvania, in favor of the navy board, the said board to be accountable.

The committee appointed to revise and amend the articles of war, brought in a report, which was read:

*Ordered*, To lie on the table.

The committee appointed to consider what steps are proper to be immediately taken by Congress for opposing the enemy, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That a camp be immediately formed on the western side of Delaware, to which the continental troops, now in Philadelphia, and on their march from the southward and westward, shall be ordered to repair with all expedition.

That it be recommended to the supreme executive council of the commonwealth of Pennsylvania, to put not less than 3,000 of the militia of that state in readiness to march to the camp before mentioned, on the shortest notice.

That proper officers be immediately despatched to enquire into the number and condition of the troops at Annapolis, and between that city and Philadelphia, and to hasten the march of such as are fit for service.

*Resolved*, That general Schuyler be, and he is hereby, directed to carry the foregoing resolutions into execution.

*Ordered*, That a copy of the foregoing resolutions be sent to the supreme executive council of Pennsylvania.

*Ordered*, That general Washington be immediately informed, by express, of the resolves now agreed on; and that Congress mean not, by forming a camp on the west side of Delaware, to delay the continental troops, or to prevent their joining the army under his command as fast as he shall think proper to order them; and that the committee, who brought in the report, prepare a letter to the general, assigning the particular reasons that induced Congress to come into these resolutions.

*Resolved*, That Mr. James Mease be directed to advance to colonel Joseph Wood, a sum sufficient to pay the arrears due to his battalion, taking his receipt for the money advanced, and transmit the same to the pay-master general, to be produced against him on the settlement of his accounts of his battalion.

The board of treasury brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That general Washington be directed to transmit to the board of war, a list of his appointments, in consequence of the powers with which he is invested by Congress, together with a copy of all commissions originating from and issued by him.

That the commanders in chief of the several departments, previous to the discharge of any regiment or corps of militia reinforcing the army, be respectively directed to issue their warrants on the pay-master or deputy pay-master general for the amount of the pay due to the same; and, when the military chest is unsupplied, the pay-master or deputy pay-master general is authorized to draw on the president for the amount of such warrants.

*Resolved*, That brigadier-general Hand be, and he is hereby, ordered immediately to repair to Fort-Pitt, and take measures for the defence of the western frontiers, agreeably to the resolutions of Congress, passed on the 9th instant.

*Resolved*, That the commissary-general of musters, have the rank of colonel in the army of the United States: that the deputy muster-masters general have the rank of lieutenant-colonels in the army of the United States.

Congress proceeded to the election, and the ballots being taken,

Joseph Ward, esq. was elected commissary-general of musters.

Richard Varick and William Bradford, jun. were elected deputy muster-masters general.

*Ordered*, That the election of the other two be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

FRIDAY, *April* 11, 1777.

A letter of the 9th, from general Washington; one of the 8th, from president M'Kinley; and one, of the 9th, from general Putnam, were read.

*Ordered*, That the letter from president M'Kinley be referred to the board of treasury.

*Resolved*, That president M'Kinley be requested, with the advice of his council, to appoint a suitable person to supply with provisions, the company to be stationed for the protection of Lewistown and the neighborhood.

A letter, of the 10th, from general Washington, with sundry papers enclosed, respecting the exchange of prisoners; and a letter from the chevalier de Vrecount, were read:

*Ordered*, That the papers, respecting the exchange of prisoners, be published; that the letter from the chevalier de Vrecount, be referred to the committee on foreign applications, and that the general's letter, with the other papers, be referred to the board of war.

Congress proceeded to the election of the two remaining deputy muster-masters general; and the ballots being taken,

William Yates and George Noarth were elected.

Congress then proceeded to the election of officers in the hospital department; and the ballots being taken,

Dr. William Shippen, jun. was chosen, by the unanimous ballot of the thirteen states, director-general of all the military hospitals for the armies of the United States.

Dr. Walter Jones, physician-general of the hospital in the middle department.

Dr. Benjamin Rush, surgeon-general of the hospital in the middle department.

Dr. John Cochran, physician and surgeon-general of the army in the middle department.

Dr. Isaac Forster, deputy director-general of the hospital in the eastern department.

Dr. Ammi Ruhamah Cutter, physician-general of the hospital in the eastern department.

Dr. Philip Turner, surgeon-general of ditto.

Dr. William Burnet, physician and surgeon-general of the army in the eastern department.

Dr. Jonathan Potts, deputy director-general of the hospital in the northern department.

Dr. Malachi Treat, physician-general of ditto.

Dr. Forgue, surgeon-general of ditto.

Dr. John Bartlett, physician and surgeon-general of the army in the northern department.

*Resolved*, That a committee of three be appointed to make diligent enquiry respecting the truth of an information, just given to Congress, of a quantity of provisions being laid up in the city of Philadelphia; and if, upon enquiry, the same be found to be true, to take effectual measures, in conjunction with the board of war of Pennsylvania, for preventing the same from falling into the hands of the enemy.

The members chosen, Mr. Duer, Mr. S. Adams, and Mr. Clark.

The board of treasury reported,

That there is due to Dr. J. Ramsey, and to be paid to the honorable Jona-

than Elmer, for sundry medicines supplied the New-Jersey troops, 24.43 dollars :

To Dr. James Tilton, for sundry medicines supplied the battalion of the state of Delaware, 26.60 dollars :

To Dr. William Currie, for sundry medicines supplied the 5th, or colonel Johnston's Pennsylvania battalion, 135.56 dollars :

To John Skinner, for sundry provisions supplied the troops at Cranberry, in the state of New-Jersey, and for his pay as assistant commissary, agreeable to his account, as settled by Mr. Carpenter Wharton, deputy commissary-general 939.8 dollars: this sum being exclusive of wagonage and other charges, to be settled in the quarter-master general's department :

To William Whipple, esq. for the expense of conveying 60,000 dollars from Philadelphia to the state of New-Hampshire, 69.9 dollars :

*Ordered*, That the said accounts be paid.

*Resolved*, That general Schuyler be directed to issue warrants on Mr. Mease, for the payment of arrearages due to the Maryland militia, that served in the army during the winter campaign.

The board of war brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That 175 fire-arms, either muskets or rifles, 200 wt. of powder, 800 wt. of lead, and 500 flints, be sent to the town of Westmoreland, on the east branch of Susquehanna river, to the care of colonel Nathan Dennison, to be used by the militia there, for the defence of the said town, if necessary; the arms to be returned when the service there will admit of it :

That the pay of the deputy quarter-master general in the northern department, be raised to 60 dollars a month, in consideration of the extraordinary trouble that attends the execution of the office in that department : .

That the pay of brigade-majors, in the continental army, be raised to 50 dollars a month :

That the pay of the regimental-chaplains in the continental army be raised to 40 dollars a month :

That the pay of the judge-advocate be raised to 60 dollars a month :

That colonel Morgan procure as much of the provision, ordered by Congress, to be laid up at Fort-Pitt, by their resolution of the 7th of January last, as general Hand shall think necessary :

That general Hand determine the number and kind of cannon necessary to be sent to Fort-Pitt :

That three tons of powder be sent to Fort-Pitt from Lancaster :

That colonel Flower, commissary-general of military stores, be empowered to purchase 200 rifles and their accoutrements, to be sent to Fort-Pitt :

That general Hand have discretionary power as to the number of men to be embodied for the defence of the frontiers, if, on any emergency, he shall think a greater number than 1000 necessary :

The committee on foreign applications, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the chevalier de Preudhomme de Borre have the rank and pay of a brigadier-general in the army of the United States of America, from the first day of December last; according to the compact made between him and the honorable Silas Deane, esq.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, April 12, 1777.

*Resolved*, That 100,000 dollars be advanced to Dr. W. Shippen, director-general, for the use of the hospital; he to be accountable.

A letter, of the 9th, from commodore Hotham, on board the Roebuck, in old Hoarkil road, directed to R. Morris, esq. was laid before Congress, and read.



*Ordered*, That the same be referred to the marine committee.

*Resolved*, That a committee of three be appointed to devise ways and means of aiding the recruiting service, and preventing abuses therein:

The members chosen, Mr. Burke, Mr. Wilson, and Mr. R. H. Lee.

Congress proceeded to the election of commissioners to examine such claims against the United States as may be presented to Congress for payment; and, the ballots being taken,

John Benezet, Robert Ritchie, and Thomas Fitzsimons, were elected.

*Resolved*, That the surgeons-general and physicians-general of the hospitals, shall, each of them regulate the practice of both physic and surgery, and do the duty of physician and surgeon-general in the hospitals respectively committed to their charge, and that the director and deputy directors-general take proper care to keep the sick and wounded in separate departments.

A memorial from Robert Levers was read; Whereupon,

*Resolved*, That Mr. Mease be directed to advance to Robert Levers, paymaster of the 12th Pennsylvania battalion, the sum of 2453.57 dollars; and that the same be charged to his account, and his receipt transmitted to R. Dallam, esq. that he may account for the same at the settlement of his accounts.

The committee on the post-office brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the post-master general be authorized to make an additional allowance to the deputy post-masters, of any sum not exceeding 200 dollars per annum, when he shall find the same to be absolutely necessary.

That 2000 dollars be advanced to the post-master general; he to be accountable.

*Resolved*, That 500 dollars be allowed for erecting the monument to general Warren, and the like sum for erecting the monument to gen. Mercer.

*Resolved*, That it be recommended to the executive powers of Massachusetts-Bay and Virginia, to take the most effectual measures for carrying into execution the resolutions of Congress, passed the 8th instant, respecting generals Warren and Mercer.

*Resolved*, That the commissioners for examining claims against the United States, shall take an oath of office and fidelity to the United States, to be administered by the president, and a certificate thereof filed in the treasury; previous to their entering upon the duty of their appointments.

A memorial from major Romand de Lisle; a memorial from Mons. Imbert, and one from Mons. de Bordes, were read; Whereupon,

*Ordered*, That the sum of 64 dollars be advanced to each of the memorialists, for the purpose of paying their passage to St. Domingo.

*Resolved*, That the count de Vrecourt be appointed an engineer in the service of the United States, with the rank and pay of a colonel.

Congress took into consideration the report of the committee on departments; Whereupon,

*Resolved*, That the same be re-committed.

The committee appointed to devise means for introducing better discipline in the army, brought in a report, which was read.

The committee of Congress at Philadelphia, which acted during the time Congress sat at Baltimore, produced a state of their accounts and expenditures, and also a copy of the letters and papers received, and of those written by them; Whereupon,

*Ordered*, That the accounts be referred to the board of treasury, and that the other papers be lodged in the secretary's office.

The committee of appeals having reported, that they have heard the appeal, entered on the part of Jonathan Burnel, and others, owners or claimants of the brigantine Sherburne, &c. from the verdict found, and sentence of condemnation passed in the court of admiralty for the port of Philadelphia, in



the state of Pennsylvania, against the said brigantine, fully argued, and proceeded to give judgment thereupon, and the opinions of the said committee, to wit: James Wilson, Jonathan D. Sergeant, John Adams, Roger Sherman, Thomas Burke, and William Ellery, being delivered, the said committee was equally divided, by reason whereof no judgment could be given:

Whereupon, in order that no failure of justice may ensue,

*Resolved*, That a committee of five be appointed to re-hear and determine the said appeal:

The members chosen, Mr. Heyward, Mr. R. H. Lee, Mr. Clymer, Mr. Duer, and Mr. Rumsey.

Adjourned to ten o'clock on Monday.

MONDAY, April 14, 1777.

A letter, of the 13th, from general Putnam; one, of the 12th, from H. Fisher, at Lewistown; and one, of the 2d, from brigadier A. Wayne, at Ticonderoga, with sundry papers enclosed, were read.

*Ordered*, That the letter from brigadier Wayne, with the papers enclosed, be referred to the board of war.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That 1000 dollars be advanced to captain Samuel Kearsy, to enable him to raise the company to which he is appointed by general Washington.

*Resolved*, That the company appointed to be raised under the command of captain Samuel Morehead, for the defence of the frontier inhabitants and public stores, at and near the Kittanning, shall not be called to any other service without their consent.

*Resolved*, That Charles Seitz be appointed adjutant to the corps commanded by major Ottendorf, in the room of Bartholomew Van Hare, appointed in the artillery.

The committee appointed to devise means for aiding the recruiting service, and preventing abuses therein, brought in a report, which was read and considered; Whereupon,

*Resolved*, That it be recommended to the executive powers of each of the United States, to enquire into the conduct of all officers on the recruiting service within their respective states; to remove such as belong to the battalions of their respective quotas, who have neglected their duty, or abused the trust reposed in them, and shall be found within their respective jurisdiction; and to fill up all vacancies which may happen by such removals; to transmit to Congress all such testimony as shall be taken against any officer or officers, who may have marched or removed from the state to whose battalions he or they belong, and against any officer or officers belonging to the quota of another state, who may have been guilty of neglect or misbehaviour in the state where the enquiry shall be made.

That it be recommended to the said executive powers to procure exact returns of the continental troops in each, and transmit the same to Congress, without delay. And all officers and soldiers of the continental army, are hereby required to pay the strictest regard to the orders of the executive powers of the several states touching the aforesaid premises.

*Resolved*, That it be recommended to the legislatures of each of the United States, to enact laws exempting from actual service any two of the militia, who shall, within the time limited by such laws, furnish one able-bodied recruit, to serve in any battalion of the continental army for the term of three years, or during the present war: such exemption to continue during the term for which the recruit shall enlist, every such recruit to be entitled to the continental bounty, and other allowances:

That it be recommended to the legislatures aforesaid, respectively, to enact laws, compelling all such persons as are by laws exempted from bearing arms, or performing militia duties, other than such as are specified in the foregoing resolve, to furnish such a number of able-bodied soldiers, as the said legislatures respectively shall deem a proper equivalent for such exemptions; such soldiers to be entitled to the continental bounty and other allowances, over and above such gratuities as they may receive from those who procure them to enlist:

Also, to permit the inlisting of servants and apprentices, and to prohibit the imprisoning, or otherwise restraining the persons of soldiers in the continental service, for any debt not exceeding fifty dollars.

And, whereas, it is of the greatest moment to the cause of American freedom, that an army of considerable strength take the field early the ensuing campaign,

*Resolved*, That if the several quotas of the states cannot be furnished by the means recommended in the foregoing resolutions, or any other means by the said legislatures devised, before the 15th day of May next, it is recommended to each state, to cause indiscriminate draughts to be made from their respective militia.

That it be recommended to the said legislatures, to apply all the means by these resolutions recommended, in the manner which they shall judge most effectual for speedily completing the army, and, in case they shall prove unsuccessful, that they cause the draughts aforesaid to be made.

*Resolved*, That the executive power of each state, be authorized and empowered to order such officers, as they shall judge proper, from the respective battalions and companies of their respective quotas, to remain within the state, for the purpose of aiding in inlisting and collecting the recruits, which may be furnished under the above recommended regulations, and to convey the same to the battalions and companies to which they belong; such officers to be under the direction of such executive powers respectively.

The committee appointed to confer with the board of war of Pennsylvania, brought in a report, which was read and considered; Whereupon, Congress came to the following resolutions:

Whereas the state of Pennsylvania is threatened with an immediate invasion, and from the adjournment of the legislative and executive authority of the commonwealth, it is impracticable to carry into immediate execution, many measures of the utmost importance, not only to the safety of the said commonwealth, but likewise to the general welfare of the United States,

*Resolved*, That it is the indispensable duty of Congress, to watch over all matters, the neglect of which may, in its consequences, deeply affect the welfare of the United States, till such time as the legislative and executive authorities of the commonwealth of Pennsylvania, can resume the exercise of their different functions.

*Resolved*, That his excellency the president of the supreme executive council of the commonwealth of Pennsylvania, be requested, forthwith, to convene the legislative and executive authorities of the state of Pennsylvania, in order that proper measures may be pursued for the defence of the same.

*Resolved*, That a committee of three be appointed to confer with the president of the supreme executive council, and such other members of the said council as can be convened, with the board of war for the state of Pennsylvania, and with the delegates of the said state in Congress, concerning the mode of authority which they shall conceive most eligible to be exercised, during the recess of the house of assembly and the council, in order that the same, if approved by Congress, may be immediately adopted.

The members chosen, Mr. S. Adams, Mr. Duer and Mr. R. H. Lee.

The committee appointed to revise and amend the articles of war, brought in a report, which was taken into consideration; Whereupon,

**Resolved**, That, from and after the publication hereof, the 2d article of the 8th section, the 1st article of the 11th section, the 8th article of the 14th section, and the 2d article of the 18th section, of the rules and articles for the better government of the troops raised, or to be raised, and kept in pay, by, and at the expense of the United States of America, passed in Congress the 20th day of September, 1776, shall be, and they are hereby, repealed; and that the four following articles be substituted in the place and stead thereof.

**Art. 1.** All officers and soldiers shall have full liberty to bring into any of the forts or garrisons of the United States of America, any quantity of eatable provisions, except where any contracts are, or shall be, entered into by Congress, or by their orders, for furnishing such provisions, and with respect only to the species of provisions so contracted for.

**Art. 2.** If any officer shall think himself to be wronged by his colonel, or the commanding officer of the regiment, and shall, upon due application made to him, be refused to be redressed, he may complain to the continental general commanding in the state where such regiment shall be stationed, in order to obtain justice; who is hereby required to examine into the said complaint, and take proper measures for redressing the wrong complained of, and transmit, as soon as possible, to Congress, a true state of such complaint, with the proceedings had thereon.

**Art. 3.** No sentence of a general court-martial shall be put in execution, till after report shall be made of the whole proceedings to Congress, the commander in chief, or the continental general commanding in the state, where such a general court-martial shall be held, and their or his orders be issued for carrying such sentence into execution.

**Art. 4.** The continental general, commanding in either of the American states, for the time being, shall have full power of appointing general courts martial to be held, and of pardoning or mitigating any of the punishments ordered to be inflicted for any of the offences mentioned in the afore-mentioned rules and articles for the better government of the troops; except the punishment of offenders, under sentence of death, by a general court-martial, which he may order to be suspended until the pleasure of Congress can be known, which suspension, with the proceedings of the court-martial, the said general shall immediately transmit to Congress for their determination. And every offender, convicted by any regimental court-martial, may be pardoned, or have his punishment mitigated by the colonel, or officer commanding the regiment.

**Resolved**, That the resolution, passed the 27th of December last, for erecting a magazine and laboratory in the town of Brookfield, in the state of Massachusetts-Bay be repealed; and that, instead thereof, a magazine sufficient to contain 10,000 stand of arms, and 200 tons of gunpowder, and a laboratory adjacent thereto, be erected in Springfield, in the said state.

**Resolved**, That a committee of three be appointed, to consider what reward it will be proper to offer, for destroying or taking the enemy's ships of war and transports:

The members chosen, Mr. J. Adams, Mr. Roberdeau and Mr. Wilson.

**Resolved**, That a committee of three be appointed to enquire into the mode heretofore observed by officers, in making up their pay-rolls, and to prepare a resolution for preventing any abuses therein:

The members chosen, Mr. Roberdeau, Mr. Burke and Mr. Rumsey.

A memorial from James Caldwell was read:

**Ordered**, That it be referred to the board of Treasury.

The committee appointed to enquire into the conduct of the commissaries reported,

“That they have made the enquiry directed, as far as time and opportunity would admit; and find that the conduct of several, employed in that department, is very exceptionable, discovering either a want of ability or integrity in discharging their trust, by which means, the public will probably suffer great loss, and the same extravagance and dissipation of public money continue, while such numbers of disqualified persons are continued in that employ, who, regardless of the general good, are raising the prices of the articles they purchase by bidding upon each other, under an idea of receiving commissions or compensations proportioned to the sums they expend;”

Whereupon,

*Resolved*, That for preventing the like impositions for the future, commissaries be commissioned by Congress, in different districts, under proper regulations, in which their duty shall be clearly ascertained.

*Resolved*, That the committee who brought in the foregoing report, be directed to prepare and bring in, a draught of regulations for the purposes before-mentioned.

*Ordered*, That Mr. Clark have leave of absence to visit his family.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, April 15, 1777.

A letter, of the 12th, from general Washington; one of this day, from colonel Baron Arendt; one, of the 21st of March, from four officers of the British navy, in Worcester gaol; one, of the 4th, from the commissioners appointed by the states of New-York, New-Jersey, Pennsylvania, Delaware, Maryland and Virginia, for the purpose of regulating the price of labour, manufactures, and internal produce within those states, &c. with a copy of their proceedings; also, a letter from Ch. Adrain Fontaine, were read:

*Ordered*, That 70,000 dollars be advanced to Carpenter Wharton, for the public service; he to be accountable.

The committee appointed to confer with the president and members of the supreme executive council of the commonwealth of Pennsylvania, the board of war of the said state, and the delegates representing the same in Congress, concerning the authority to be exercised during the recess of the council and assembly, reported, “That they have had a conference, agreeable to the order of Congress, and that it appeared clearly to the members in conference, that the executive authority of the commonwealth of Pennsylvania is incapable of any exertion adequate to the present crisis; and that it is of the greatest importance that every power should be called forth into action, which may conduce to the safety of this state, with which the liberties and prosperity of the whole are so intimately connected; from this consideration, and at the particular instance and request of the president and of the supreme executive council, and the board of war of the state of Pennsylvania, they beg leave to recommend the following resolutions to be adopted by Congress:

That the president of the supreme executive council of the commonwealth of Pennsylvania, together with as many members of the said council as can be convened, the board of war, and, in such cases as relate to the marine, the navy board of the said state, should, in the present critical exigency of affairs, exercise every authority to promote the safety of the state, till such time as the legislative and executive authorities of the commonwealth can be convened:

That it be, and it is hereby, earnestly recommended by Congress to the good people of Pennsylvania, cheerfully to submit to the exertion of an authority which is indispensably essential to the preservation of the lives, liberties, and property of themselves, their families and posterity:

That the commanding officer of the continental forces in this city, afford every possible assistance in carrying into execution all such measures as may be recommended to him by the authority abovementioned:

That Congress will cheerfully co-operate with the authority abovementioned, in facilitating every measure which may be deemed conducive to the safety of the state:" Whereupon,

*Resolved*, That Congress concur with the committee, and agree to the resolutions proposed.

*Ordered*, That 7165 dollars be advanced by James Mease to Richard Stevens, esq. pay-master of the 10th Virginia battalion commanded by colonel Edward Stevens, for the purpose of paying the said battalion.

*Ordered*, That two months' pay be advanced to colonel the chevalier de Vrecourt.

*Resolved*, That Monsieur du Plessis be recommended to general Washington, to be appointed a captain in the artillery.

*Resolved*, That an allowance of 125 dollars a month be made to brigadier-general Robert Howe, to commence at the time he was left by major-general Lee, to command in South-Carolina and Georgia; the said allowance being considered as necessary to defray the expenses of his table while he commands there, and to continue so long as he shall be in such command; and that the said allowance be made to any officer of equal rank who shall hereafter succeed to the said command in that department.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That 4000 dollars be advanced to brigadier Hand, to erect such works at Pittsburg as he shall think necessary, and towards contingent expenses; he to be accountable.

*Resolved*, That brigadier-general Lewis's resignation be accepted.

A petition from Walter Drummond, was read:

*Ordered*, That it be referred to the board of treasury.

Whereas, the continental battalions are all on a footing, liable to the same kind of services, and entitled to equal privileges;

*Resolved*, That the appellations, "Congress's own regiment," "general Washington's life guards," &c. given to some of them, are improper, and ought not to be kept up; and the officers of the said battalions are required to take notice hereof, and to conform themselves accordingly.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, April 16, 1777.

A letter, of the 12th, from general Washington, and one from him of the same date, to the committee appointed to write to him, were read:

*Ordered*, That the last be referred to general Schuyler, who is directed to carry into execution the measures therein recommended.

Sundry letters being intercepted by the Pennsylvania board of war, were laid before Congress, and read; Whereupon, Congress came to the following resolution:

Whereas, it appears to Congress, from the letters intercepted by the Pennsylvania board of war, that certain persons, inimical to the liberties of America, have invited the enemy to attempt a surprize on this city, in order to make themselves masters of the stores and provisions now in it; and whereas, it is apprehended, that the executive authority at present exercised in the state of Pennsylvania, will be so occupied with matters of the highest importance to the safety of the state, as not to be able to attend to the removal of the said stores and provisions in due time;

*Resolved*, That it be recommended to the president and members of the



executive authority of this state, to request the commanding officer of the continental forces in this city, to take the most effectual means, that all provisions and every other article, which, by falling into the hands of the enemy, may aid them in their operations of war against the United States, or the loss of which might distress the continental army, be immediately removed to such places as he shall deem most convenient and secure.

An appeal being this day delivered to the secretary from the judgment of the court of admiralty, held at Plymouth, in the state of Massachusetts-Bay, for the counties of Plymouth, Barnstable, Bristol, Nantucket and Dukes, on a libel against the schooner *Industry*, Charles Coffin, master, which appeal was made in the court aforesaid, on the 23d day of October, 1776, the judgment of Congress was taken whether the same should be received; Whereupon,

*Resolved*, That the said appeal be received, and referred to the committee on appeals.

The house being moved to pass a resolution,

*Resolved*, That it be referred to a committee of four.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. R. H. Lee, and Mr. Witherspoon.

*Ordered*, That 2133 1-3d dollars be advanced to Samuel Wheeler, on account of iron field-pieces he has contracted to make for the continent; he to be accountable.

*Resolved*, That two months' pay be advanced to Mons. du Plessis; he to be accountable.

*Resolved*, That Carpenter Wharton be directed to deliver to the order of brigadier-general Hand, 200 bushels of salt, for the use of the forces on the western frontiers.

*Resolved*, That it be recommended to the general assembly of the state of Rhode-Island and Providence Plantations, to collect, with the utmost despatch, the whole force thereof, and therewith, aided by such parts of the militia of Massachusetts-Bay and Connecticut, as are contiguous to the said state, to attack and destroy the enemy on the island of Rhode-Island aforesaid.

*Resolved*, That it be, and it is hereby, recommended to the states of Massachusetts-Bay and Connecticut, to give every assistance in their power, by calling out the militia of their respective towns, which lie next to the state of Rhode-Island, and to promote and execute this important service.

*Resolved*, That general Washington be directed to appoint such general officer as he shall judge proper, to carry the foregoing resolution into effect.

*Ordered*, That copies of the foregoing resolutions be sent by express to general Washington, and the three New-England states.

Congress being informed that divers ill affected persons have in contemplation to destroy the ferry-boats on Hudson's river above Saratoga, at the time the enemy's army arrives from Canada, in order to obstruct the movements of the American troops and to distress them:

*Resolved*, That general Gates be informed of this by express, and that he be directed to take timely and effectual measures to prevent the execution of this pernicious project.

*Resolved*, That the report on the quarter-master's department be re-committed, and that the committee be directed to confer with general Schuyler on this subject.

The committee appointed to prepare a plan for regulating the mode of receiving applications to Congress, brought in a report, which was read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.



**THURSDAY, April 17, 1777.**

**Resolved,** That general Schuyler be empowered and directed to draw warrants for the payment of the arrears due to the Pennsylvania and Delaware militia, as well as to the Maryland militia, who were called into the service of the continent during the course of last winter.

Congress took into consideration the report of the committee on the means of introducing better discipline in the army, and, after debate,

**Ordered,** That it be re-committed, and that two members be added to the committee.

The members chosen, Mr. Gerry, and Mr. Duer.

**Resolved,** That the style of the committee of secret correspondence be altered, and that, for the future, it be styled the committee of foreign affairs:

That a secretary be appointed to the said committee, with a salary of 70 dollars a month:

That the said secretary, previous to his entering on his office, take an oath, to be administered by the president, "well and faithfully to execute the trust reposed in him, according to his best skill and judgment, and to disclose no matter, the knowledge of which shall be acquired in consequence of such his office, that he shall be directed to keep secret;" also, the oath prescribed for officers of the army, and passed the 21st day of October, 1776; and that a certificate thereof be given by the president, and lodged with the secretary of Congress.

Congress proceeded to the election of the said secretary, and, the ballots being taken,

Thomas Paine was elected.

The committee on the treasury reported,

That there is due to Dr. William Smith, continental druggist, for sundry medicines purchased by him for public use, 2820.30 dollars, and for sundry medicines supplied by him for the use of the brig Lexington, 131.38 dollars, both sums making 2952.28 dollars:

To Dr. William Currie, for sundry medicines supplied the sick of the 4th and 6th Virginia regiments, 99.66 dollars:

To T. Batell, for the maintenance of lieutenant Ball, a British prisoner, 24.55 dollars, for the payment of which a warrant should be drawn on the commissioner of the loan-office for the state of Delaware:

That there should be advanced to the state of Delaware, and paid to John M'Kinley, esq. president of the said state, the sum of 1500 dollars, for the use of a guard, ordered by Congress, to be placed at Lewistown, &c. and that the same be drawn for on the commissioner of the loan-office for the said state.

**Ordered,** That the said sums be paid accordingly.

**Ordered,** That 10,000 dollars be advanced to the delegates of Georgia, for the use of that state, which is to be accountable.

It being represented to Congress by the delegates of Maryland, that there is imminent danger of an insurrection in the counties of Somerset and Worcester, and that the insurgents may be joined by disaffected persons in the county of Sussex, in the state of Delaware; and, application being made by the said delegates, for a continental battalion to be placed in the county of Somerset, to over-awe and quell the insurgents,

**Resolved,** That a committee of four be appointed to devise ways and means of suppressing the spirit of toryism in the counties of Somerset, Worcester, and Sussex, and preventing them from taking measures prejudicial to the cause of the United States.

The members chosen, Mr. Duer Mr. S. Adams, Mr. Wilson, and Mr. Rumsey.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

FRIDAY, *April 18, 1777.*

*Resolved*, That the sum of 2333.30 dollars be paid to Gosvinus Erkelens, esq. or order, the same being in full of an order in his favor, drawn by Joseph Trumbull, and dated at Hartford, 21st March, 1777 :

That the further sum of 1000 dollars be paid to the said Gosvinus Erkelens, or order, the same being in full of another order in his favor, drawn by the said Joseph Trumbull, dated at Hartford, 21st of March, 1777 ; and that both sums be charged to the account of the said Joseph Trumbull.

A petition from Thomas Moody, was read,

*Ordered*, That the same be referred to general Mifflin, the quarter-master general.

The committee appointed to enquire into the conduct of the enemy, reported,

“ That, in every place where the enemy has been, there are heavy complaints of oppressions, injury, and insults, suffered by the inhabitants, from officers, soldiers, and Americans disaffected to their country's cause. The committee found these complaints so greatly diversified, that, as it was impossible to enumerate them, so it appeared exceedingly difficult to give a distinct and comprehensive view of them, or such an account, as would not, if published, appear extremely defective, when read by the unhappy sufferers, of the country in general.

In order, however, in some degree, to answer the design of their appointment, they determined to divide the object of their enquiry into four parts: First, The wanton and oppressive devastation of the country, and destruction of property : Second, the inhuman treatment of those who were so unhappy as to become prisoners : Third, The savage butchery of many who had submitted or were incapable of resistance ; Fourth, The lust and brutality of the soldiers in the abusing of women.

They will, therefore, now briefly state, what they found to be the truth upon each of these heads separately, and subjoin to the whole, affidavits and other evidence to support their assertions.

*1. The wanton and oppressive devastation of the country and destruction of property :*

The whole track of the British army is marked with desolation and a wanton destruction of property, particularly through West-Chester county, in the state of New-York ; the towns of Newark, Elizabeth-Town, Woodbridge, Brunswick, Kingston, Princeton and Trenton, in New-Jersey. The fences destroyed, the houses deserted, pulled in pieces or consumed by fire, and the general face of waste and devastation spread over a rich and once well cultivated and well inhabited country, would affect the most unfeeling with melancholy or compassion for the unhappy sufferers, and with indignation and resentment against the barbarous ravagers. It deserves notice, that though there are many instances of rage and vengeance against particular persons, yet, the destruction was very general and often undistinguished ; those who submitted and took protections, and some who were known to favor them, having frequently suffered in the common ruin. Places and things, which, from their public nature and general utility, should have been spared by a civilized people, have been destroyed or plundered, or both. But, above all, places of worship, ministers and religious persons of some particular protestant denominations, seem to have been treated with the most rancorous hatred, and, at the same time, with the highest contempt.

*2. The inhuman treatment of those who were so unhappy as to become prisoners :*

The prisoners, instead of that humane treatment which those taken by the United States experienced, were, in general, treated with the greatest barbarity. Many of them were near four days kept without food altogether :

When they received a supply, it was both insufficient in point of quantity and often of the worst kind: They suffered the utmost distress from cold, nakedness and close confinement: Freeman and men of substance suffered all that a generous mind could suffer from the contempt and mockery of British and foreign mercenaries: Multitudes died in prison; and, when others were sent out, several died in the boats, while carrying ashore, or, upon the road, attempting to go home. The committee, in the course of their enquiry, learned, that sometimes the common soldiers expressed sympathy with the prisoners, and the foreigners more than the English. But, this was seldom or never the case with the officers; nor have they been able to hear of any charitable assistance given them by the inhabitants who remained in, or resorted to the city of New-York; which neglect, if universal, they believe was never known to happen in any similar case in a Christian country.

*3. The savage butchery of those who had submitted and were incapable of resistance:*

The committee found it to be the general opinion of the people in the neighborhood of Princeton and Trenton, that the enemy, the day before the battle of Princeton, had determined to give no quarter.—They did not, however, obtain any clear proof, that there were any general orders for that purpose; but the treatment of several particular persons at and since that time, has been of the most shocking kind, and gives too much countenance to the supposition. Officers wounded and disabled, some of them of the first rank, were barbarously mangled or put to death. A minister of the gospel in Trenton, who neither was nor had been in arms, was massacred in cold blood, though humbly supplicating for mercy.

*4. The lust and brutality of the soldiers in the abusing of women:*

The committee had authentic information of many instances of the most indecent treatment, and actual ravishment of married and single women; but, such is the nature of that most irreparable injury, that the persons suffering it, and their relations, though perfectly innocent, look upon it as a kind of reproach to have the facts related, and their names known. They have, however, procured some affidavits, which will be published in the appendix. The originals are lodged with the secretary of Congress.

Some complaints were made to the commanding officers upon the subject, and one affidavit made before a justice of peace; but the committee could not learn that any satisfaction was ever given, or punishment inflicted, except, that one soldier, at Pennington, was kept in custody for part of a day.

On the whole, the committee are sorry to say, that the cry of barbarity and cruelty is but too well founded; and as, in conversation, those who are cool to the American cause, have nothing to oppose to the facts, but their being incredible, and not like what they are pleased to stile, the generosity and clemency of the English nation; the committee beg leave to observe, that one of the circumstances most frequently occurring in the enquiry, was, the opprobrious, disdainful names given to the Americans. These do not need any proof, as they occur so frequently in the newspapers printed under their direction, and in the intercepted letters of those who are officers, and call themselves gentlemen. It is easy, therefore, to see what must be the conduct of a soldiery, greedy of prey, towards a people, whom they have been taught to look upon, not as freemen defending their rights on principle, but as desperadoes and profligates, who have risen up against law and order in general, and wish the subversion of society itself. This is the most candid and charitable manner in which the committee can account for the melancholy truths which they have been obliged to report. Indeed, the same deluding principle seems to govern persons and bodies of the highest rank in Britain. For, it is worthy of notice, that not pamphleteers only, but king

and parliament, constantly call those acts lenity, which, on their first publication, filled this whole continent with resentment and horror."

*Resolved*, That the said report be accepted, and that the committee who brought it in, publish the same with the affidavits.

*Resolved*, That a member be added to the committee on the commissary's department, and that they be directed to confer with general Schuyler on the subject :

The member chosen, Mr. Roberdeau.

*Resolved*, That Mr. Jos. Trumbull be directed to repair, with all despatch, to Philadelphia.

At the request of general Schuyler,

*Resolved*, That a committee be appointed to enquire into the conduct of major-general Schuyler, since he has held a command in the army of the United States.

That the said committee consist of a member from each state :

The members chosen, Mr. Thornton, Mr. Lovell, Mr. Ellery, Mr. Wolcott, Mr. Duer, Mr. Elmer, Mr. Clymer, Mr. Sykes, Mr. W. Smith, Mr. Page, Mr. Burke, Mr. Heyward, and Mr. Brownson.

*Resolved*, That major-general St. Clair have leave of absence from the army for two weeks, to visit his family.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That an order for 5000 dollars be drawn on the treasurer at Baltimore, in favor of Robert Cummings, commissary of provisions there, to purchase provisions for the troops ; and that he be desired to buy as much fresh provisions as he thinks prudent, considering the present price ; and that Congress approve of his laying in a quantity of barrelled shad-fish, sufficient for the troops passing through that town.

*Resolved*, That general Armstrong be requested to inspect the magazines of provisions under the care of commissary Wharton, and report to Congress their kind, quantity, and condition : That general Armstrong be authorized to call on Mr. Wharton for every information necessary to enable him to perform this duty, and, if the said magazines be found in a perishing or neglected state, that he take proper steps for their regulation ; and the said commissary and his deputies are hereby ordered to pay due obedience to his directions.

*Resolved*, That a committee of five be appointed to devise ways and means of supplying the army with fresh beef, on the most reasonable terms.

The members chosen, Mr. Burke, Mr. Sherman, Mr. L. Morris, Mr. R. H. Lee, and Mr. Rumsey.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, April 19, 1777.

*Resolved*, That the resignation of John Trumbull, late deputy adjutant-general of the northern army, be accepted :

That general Gates be empowered to appoint a deputy adjutant-general for the northern department.

*Resolved*, That three persons be appointed as a board of assistants to the marine committee, with a salary of 1500 dollars a year each, to reside at or in the neighbourhood of Boston, in the state of Massachusetts-Bay, with a power to adjourn to any part of New-England ; who shall have the superintendence of all naval or marine affairs of these United States, within the four eastern-states, under the direction of the marine committee.

That the appointment of the said commissioners be made on Tuesday next.

A letter of the 27th of March, from the commissioners for settling accounts in the northern department, directed to the board of treasury, was laid before Congress, and read :

*Ordered*, That the same be referred to the committee appointed to devise regulations for the commissary's department.

*Resolved*, That three members be added to the said committee, and that the committee be directed to confer with Mr. Trumbull on his arrival.

The members chosen, Mr. Duane, Mr. W. Smith, and Mr. Gerry.

*Ordered*, That a copy of such parts of the said letter as relates to draughts made on the pay-master for stock, &c. taken by officers, and to irregular draughts, be sent by the board of treasury to gen. Gates.

The committee appointed to enquire into the mode heretofore observed by officers in making up their pay-rolls, and to prepare a resolution for preventing abuses therein, brought in a report, which was read :

*Ordered*, To lie on the table.

A remonstrance of Joseph Hugg and Is. Morris, jun. was read.

*Resolved*, That gen. Washington be directed to take effectual measures for removing all provisions, cattle, carriages, and forage, which he may think in danger of falling into the hands of the enemy, particularly in the parts of the country through which their route may lie, should they attempt to march ; and that he give directions to all officers employed on this duty, to be careful not to deprive the inhabitants of what may be necessary for their immediate subsistence ; and to cause all provisions, cattle, carriages, and forage, removed, to be appraised to a just valuation, that the owners may be paid for the same.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the Rev. Mr. Henry Miller be, and he is hereby appointed chaplain to the German battalion.

The marine committee having recommended John Rathburn to be captain of the armed sloop Providence,

*Resolved*, That he be appointed accordingly.

*Resolved*, That an order for 200,000 dollars be drawn on the commissioner of the loan-office for the state of New-York, in favor of Jonathan Trumbull, jun. deputy pay-master general, for the use of the army in the northern department ; the said deputy pay-master general to be accountable.

The committee appointed to devise ways and means for suppressing the spirit of toryism in the counties of Somerset, Worcester, and Sussex, and preventing the disaffected persons therein from taking measures prejudicial to the cause of the United States, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That it be earnestly recommended to the legislative or executive authorities of the states of Delaware and Maryland, forthwith to apprehend and remove all persons of influence, or of desperate characters, within the counties of Sussex, Somerset, and Worcester, who have betrayed or manifested a disaffection to the American cause, to some remote or secure place or places within their respective states ; there to be secured without any person having access to them, unless by license first obtained from such civil or military officer as the government of the respective states shall think proper to appoint for that purpose : to take away the fire-arms of all such of the inhabitants of the counties above-mentioned, as have not hitherto manifested an attachment to the cause of America, excepting such in the counties of Worcester and Somerset, in the state of Maryland, as may have complied with the proclamation issued by the said state, in the month of February last, the said arms to be disposed of by the respective states as shall be deemed most conducive to the general weal : to enact laws appointing commissioners in each of the counties above-mentioned, whose business it shall be to make inventories, and to take charge of the personal estates of the persons so removed, and to receive the rents arising from their real estates, in



order that the same may be appropriated as a fund for their maintenance, till the government of the respective states shall otherwise direct; and vesting the said commissioners with full and adequate powers to enquire into, detect, and defeat, all plots or conspiracies formed in the respective counties against the liberties of America.

And, for facilitating the expeditious execution of the foregoing resolution,  
*Resolved*, That the gov. of the state of Maryland be authorized to detain the weakest continental battalion raised in the state of Maryland, till a further order of Congress; and that it be recommended to the executive authority of the state of Maryland, forthwith, to embody 300 of the militia of the said state, and to the executive authority of the state of Delaware, 100 of their militia, the said militia to co-operate with the battalion of continental troops, to obey the officer commanding the same, and to continue in service so long as the joint executive authorities of the states of Delaware and Maryland shall think necessary.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, April 21, 1777.

A letter of the 18th and 19th, from general Washington; one, of the 19th, from the Pennsylvania board of war; and a note from Dr. G. Clarkson, in behalf of colonel Zedwitz, were read:

*Ordered*, That the letter from general Washington be referred to the board of war; that the letter from the Pennsylvania board of war be referred to the board of treasury; and the note from Dr. Clarkson, to the medical committee.

*Resolved*, That James Mease, clothier-general, be directed to deliver to general Mifflin, quarter-master general, or his order, all the cloth in his possession, fit for tents.

According to the order of the day, Congress proceeded to the consideration of the articles of confederation, as reported from the committee of the whole house; and, after debate thereon,

*Resolved*, That the farther consideration thereof be postponed to Friday next.

*Resolved*, That Michael Hillegas, esq. treasurer, be authorized and directed to appoint and qualify such a number of additional signers of money as he shall judge necessary, and send to Congress a certificate of such appointment and qualification; and that the said signers proceed on the business until discharged by Congress.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, April 22, 1777.

A letter, of the 21st, from gen. Washington; one, of the 5th, from col. G. Morgan, at Fort-Pitt, with sundry papers enclosed; one, of the 2d, from major Malmedy, at Providence; one, of the 14th, from governor Trumbull, and a memorial from Elisha Painter, were read:

*Ordered*, That the letter from colonel Morgan be referred to the committee on Indian affairs; the letter from major Malmedy to the committee on applications from foreigners; the letter from governor Trumbull to the committee on foreign affairs, and the memorial from Elisha Painter to the board of war.

The board of war brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That general Schuyler be directed to send forward, immediately, all the troops now in Bristol, with orders to join general Washington with all expedition; and that gen. Schuyler immediately order all the troops



now in Philadelphia, and which may hereafter arrive, with the utmost despatch to Bristol, there to wait farther orders.

That the secret committee be directed to transmit, from time to time, to gen. Washington, bills of exchange, or specie, for the support of our prisoners of war in the hands of the enemy, according to their ranks and pay in the continental service; and that the general be desired to appoint a commissary of prisoners, for the purpose of applying the money obtained by the bills and the specie transmitted, to the purposes aforesaid; and that the said commissary be ordered to take care, that the prisoners of war be supplied with proper provisions and clothing.

*Resolved*, That the farther consideration of the report be postponed.

*Resolved*, That the director and deputy directors-general, shall constantly publish in the news-papers, the names of the places in which their military hospitals are respectively kept; and the several commanding officers of parties, detachments, or corps, on their march to or from the camp, shall send to the said hospitals, such of their officers and soldiers, as, from time to time, are unable to proceed, together with certificates to the director or deputy director-general, mentioning the names of the said officers and soldiers and particular regiments to which they belong; unless, from the distance of the hospitals, or other causes, it shall at any time be necessary to deliver them to the care of private physicians or surgeons, in which cases, such physicians and surgeons, and also the respective commanding officers, are forthwith to report their names and regiments to the director or deputy directors-general as aforesaid, who shall give the necessary orders for removing them to the hospitals as soon as may be, and discharge the reasonable demands of the physicians and surgeons conducting agreeable to this resolve.

That the director and deputy directors-general and assistant deputy directors, have power to order to their respective hospitals, the sick and wounded of the army, wherever found, in their own or other departments, provided such departments are not supplied with any of the officers aforesaid.

A memorial from Robert Long was read, requesting permission to go to New-York, in order to render to Mr. Chamier an account of his affairs:

*Ordered*, That the said memorial be dismissed.

*Resolved*, That an order be drawn on the treasurer at Baltimore, in favor of James Mease, clothier-general, for the sum of 12,000 dollars, to discharge a bill of exchange drawn at Boston, March 1, 1777, by Abraham Livingston and William Turnbull, on Robert Morris, esq. in favor of Stephen Hooper, or order.

*Resolved*, That governor Trumbull be informed, that Congress have received undoubted information that William Franklin, late governor of the state of New-Jersey, and now a prisoner in Connecticut, has, since his removal to that state, sedulously employed himself in dispersing among the inhabitants the protections of lord Howe and general Howe, stiled the king's commissioners for granting pardons, &c. and otherwise aided and abetted the enemies of the United States: And, that he be requested forthwith to order the said William Franklin, esq. into close confinement, prohibiting to him the use of pen, ink, and paper, or the access of any person or persons, but such as are properly licensed for that purpose by governor Trumbull.

A memorial from colonel Haller and lieutenant-colonel Lutz was read, praying that they may be paid for retained rations.

*Ordered*, That it be referred to the board of war.

*Resolved*, That a member be added to the committee for suppressing toryism. The member chosen, Mr. Duer.

*Resolved*, That it be recommended to the several states, to order their statute laws, and the additions that may be made thereto, to be sent to Congress, and to each of the states, together with all discoveries and improvements in the arts of war made in such states respectively.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, *April 23*, 1777.

*Ordered*, That the sum of 680 dollars be paid to the captain, officers and privates, of the brigantine Andrew Doria, the same being in full of the bounty granted for ten carriage guns mounted, and sixty men, on board the armed sloop Racehorse, at the time of her capture by the said brigantine Andrew Doria, as certified by the register of the court of admiralty for the state of Pennsylvania.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Dr. James Tilton be authorized to repair to Dumfries, in Virginia, there to take the charge of all continental soldiers that are or shall be inoculated, and that he be furnished with all necessary medicines: that the commanding officers in that department be directed to afford every assistance in their power, and that all commissaries and quarter-masters on whom the doctor shall have occasion to call, be directed to provide quarters and every thing requisite for this business.

*Resolved*, That the board of war be empowered and directed to sell to the delegates of North-Carolina, 200 gun-locks.

A petition from Lawrence Powell, was read:

*Ordered*, That it be referred to the board of war.

The committee, to whom the report on the quarter-master's department was re-committed, brought in a new report, which was read.

Joseph Trumbull, commissary-general, being arrived at Philadelphia,

*Ordered*, That the committee on the commissary's department, and the committee appointed to devise means for supplying the army with fresh beef, be consolidated; and that Mr. Trumbull be directed to confer with the said committee.

*Resolved*, That a committee of six be appointed to consider of ways and means for speedily reinforcing general Washington's army.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. Wilson, Mr. J. B. Smith, Mr. R. H. Lee, and Mr. Sherman.

*Ordered*, That the committee confer with general Schuyler and general Mifflin on the subject.

The board of treasury reported, that there is due,

To Edward Snicker, and to be paid to colonel Daniel Morgan, the sum of £ 276 2 6, for sundry arms, blankets, provisions, &c. furnished by him for the use of the said colonel Morgan's regiment, and for an allowance made him for his trouble and expense of purchasing the said arms, &c. and for those purchased as per a former account, amounting to £ 482 8, the sum of £ 37 18 6, which two sums amount to £ 314 1, Virginia currency, equal to 1046.75 dollars:

That there should be paid to captain Nathaniel Rumsey, for sundry clothing he purchased for the use of his company in the first Maryland battalion, which were taken by the enemy, as is set forth in his memorial to Congress, the sum of 115 30 dollars:

That there is due to John Carswell, late a soldier in the late captain Hendrick's company, who was taken prisoner at Quebec, for his pay from the 1st of January, 1776, to the 22d of April, 1777, the sum of 94 73 dollars.

That there should be paid to Henry Shitz, for 46 reams of paper for continental bills of credit, the sum of 444 dollars:

That there should be paid to Francis Lewis, esq. for sundry goods purchased for clothing the army out of the prize schooner Hannah, and put into the hands of Samuel and Robert Purviance, at Baltimore, the sum of 7346 62 dollars; the said Samuel and Robert Purviance to be accountable:

That there should be advanced to colonel Daniel Morgan, of the 11th Virginia regiment, for the bounty of a volunteer company enlisted into the said regiment, the sum of 1800 dollars; he to be accountable:

That the Rev. Mr. John Nevelling officiated as chaplain to nine New-Jersey battalions for one month and six days, at 50 dollars a month, amounting to 59 77 dollars; of which he received of the pay-master 33 30 dollars, and that a balance of 26 47 should be paid to him.

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *April 24*, 1777.

A letter, of the 2d, from J. Allen, at Boston, agent for Indian affairs in the eastern department; one, of the 26th of December last, from James Lyon, at Machias; and one, of the 18th instant, from the convention of New-York, with sundry papers enclosed, were read.

*Ordered*, That the said letters be referred to the board of war, who are directed to confer with the person who brought the two first letters.

A letter, of the 23d, from general Washington, with sundry papers enclosed, was read.

The committee appointed to consider of ways and means for speedily reinforcing general Washington's army, brought in a report, which was read and considered: Whereupon,

*Resolved*, That it be earnestly recommended to the president of the supreme executive council, and to the board of war of Pennsylvania, to call out 3000 of the militia of the said state, exclusive of the city militia; one half of the said troops to rendezvous at Chester on the Delaware, and the other half at Bristol: And to order the city militia to equip themselves with arms and accoutrements, and to hold themselves in readiness at a moment's warning; and that the said president and board of war take measures to furnish the said troops with a proper train of artillery.

*Resolved*, That the president write to general Washington, and inform him, it will be agreeable to Congress, that he order general Mifflin to continue in Philadelphia for some time; provided the public service will admit of his absence from the army.

*Resolved*, That the officers of the 7th Pennsylvania battalion be referred to the board of treasury for the liquidation of their accounts, and settlement of the money due to the said battalion for the last campaign, and that the said board report thereon.

*Resolved*, That all the accounts of the Pennsylvania, Delaware, and Maryland militia yet unsettled, be referred to the board of treasury for liquidation, and that the reports thereon, be transmitted to general Schuyler, who is now the commanding officer in Philadelphia, in order that he may draw warrants for paying the arrears due to them, agreeable to the resolve of the 17th instant.

*Ordered*, That the account of William Graham, a surgeon's mate of the second Virginia regiment, be referred to general Schuyler, who is directed to draw a warrant for two months' pay.

An appeal from the judgment of the court of admiralty for the state of Maryland, held at Baltimore, in the libel sloop *Montgomery*, vs. brig *Minerva*, was lodged with the secretary, and referred to the committee on appeals.

An appeal from the judgment of the court of Admiralty for the state of Rhode-Island and Providence Plantations, on the libel *Mary*, Alsop and others, vs. Thomas Battenburgh, being lodged the 6th of March last, was also this day referred to the committee of appeals.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

FRIDAY, *April 25, 1777.*

*Ordered*, That 1666.60 dollars be paid to Sampson Mears, or order, the same being in full of a bill drawn by William Aylett, Virginia, April 9th, 1777, in favor of Mr. Isaac Vanbibber, of Baltimore, and endorsed by the said Isaac Vanbibber, and the payment ordered to the said Sampson Mears, or order, by Vanbibber & Crocket; and that the said sum be charged to the account of the said William Aylett.

The board of war reported,

“ That having enquired into the case of major Elisha Painter, it appeared by the evidence produced, that the objections made against his appointment to the office of major in colonel Seth Warner's regiment, and the complaint of uneasiness occasioned thereby, are without any just foundation, and that nothing is alleged, or appears to have been done by him, to forfeit his right to the said office; and that the board knows of no such office vacant in any other regiment, to which he can be appointed by Congress: Whereupon,

*Resolved*, That the resolution of the 18th, of Jan. last, removing the said Elisha Painter from any command in the said col. Seth Warner's regiment, be repealed; and that he return to his command in the said regiment as major thereof, unless general Washington shall think proper to appoint him to some other office or employment in the army not inferior to his present rank.

The committee of treasury brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That 50,000 of the 300,000 dollars, ordered to be advanced to general Mifflin, on the 22d of March last, be paid by a warrant on the loan-office in Connecticut.

*Ordered*, That 100,000 dollars be advanced to Joseph Trumbull, esq. commissary-general, he to be accountable; and that a warrant be drawn on the commissioner of the loan-office for the state of Pennsylvania for the sum of 35,000 dollars, in part of the above sum.

*Resolved*, That the farther consideration of the report be postponed.

The committee appointed to devise ways and means for speedily reinforcing general Washington's army, brought in a farther report, which was taken into consideration: Whereupon,

*Resolved*, That the president and council of the state of Delaware be requested forthwith to call out 1500 of the militia of the said state, well armed and accoutred, to rendezvous at Chester on Delaware.

That a committee of three be appointed to confer with the said president and council, to enforce the necessity of this measure, and that general Mifflin be requested to join the said committee for the purpose aforesaid.

The members chosen, Mr. Read, Mr. Roberdeau, and Mr. Sergeant.

*Resolved*, That the governor of the state of New-Jersey be requested forthwith to call out such part of the militia of the said state, as general Washington shall judge necessary to reinforce the army under his command.

*Resolved*, That the physician or surgeon-general of the hospital in the middle department, be directed to send a proper person or persons in the medical department, to visit all the hospitals betwixt this city and the town of Annapolis, in Maryland; with directions, to order all such soldiers, as shall be deemed capable of service, to join immediately their respective corps under proper officers.

*Resolved*, That major-general Schuyler be directed to order all the troops in or near the city of Philadelphia, and between the said city and the town of Annapolis, to march immediately to Bristol, by such routes as shall render

it unnecessary to pass through the city of Philadelphia; that he send active officers to forward the said troops without delay, and that he order proper returns to be made of the quantity of arms and clothing wanted for the respective corps or detachments, in order that a supply of the same may be forwarded by the clothier-general to the town of Bristol.

*Resolved*, That general Washington be requested to send a general-officer into the eastern states, to forward all the troops already raised to their respective places of destination, with the utmost despatch.

According to the order of the day, Congress resumed the consideration of the articles of confederation, as reported by a committee of the whole; and, after debate,

*Resolved*, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

### SATURDAY, April 26, 1777.

A letter, of the 25th, from president M'Kinley, of Delaware; two, of the 21st, and one of the 23d, from governor Johnson, of Maryland, were read:

*Ordered*, That the said letters, with the papers enclosed, be referred to the board of war.

*Resolved*, That 100,000 dollars be advanced to the state of Maryland, the said state to be accountable; and that the same be paid by an order for 25,000 dollars, on the commissioner of the loan-office for the state of Maryland, and by an order on the treasurer at Baltimore, for the remaining 75,000 dollars.

*Ordered*, That 691.50 dollars be paid to Thomas Lawrence, being so much paid by him to the wives of the carpenters employed in the service of the United States, at Fort-Pitt, and that the same be charged to the account of colonel George Morgan.

*Ordered*, That 500 dollars be advanced to captain Joseph Mitchell, for the use of the 12th Virginia battalion, and that the same be charged to the account of James Wood, colonel of the said regiment.

*Ordered*, That the committee on the commissary's department proceed on that business, and report on Monday next.

The committee on the treasury reported, "That there is due to John Bidle, for the weekly allowance paid to several officers, &c. prisoners of war, and for sundry provisions furnished women and children, prisoners at Reading, at the rate of ten pence per ration, the sum of 955.52 dollars:

To Henry Haller, for the weekly allowance of capt. Anstruther, from the 23d of August to the 24th of November, being 11 weeks and four days, the sum of 23.12 dollars:

To Thomas Polhoos, and to be paid to Mr. Wiltner, for bleeding 95 privates of colonel Hausegger's battalion, the sum of 12.60 dollars:

To Joseph Simons, for provisions issued to women and children, prisoners; and for provisions issued to prisoners at Easton, who were unable to move with the others that were exchanged, the sum of 126.6 dollars:

To Mark Wilcox, for paper for loan-office certificates, and two reams of paper for the use of the treasury board, 876.73 dollars:

To captain Benjamin Deane, for his expenses, while escorting money to the White Plains, and on his return, including wagon and horse-hire, 175.50 dollars:

To Joseph Cowperthwaite, for sundry casks for powder, and for cooperage, portorage, &c. 297.66 dollars:

To Levi Hollingsworth, for freight and cartage of 503 casks of powder, and one case of gun-locks, from Baltimore to Philadelphia, and for portorage to the magazine, the sum of 437.6 dollars:



To Bright & Pechin, for storeage and weighing sundry parcels of salt-petre, the sum of 76.75 dollars :

To Elizabeth Kuntz, for attendance and provisions to six men, belonging to general Lee's guard, who were under inoculation, and for boarding six other men, the sum of 89.81 dollars :

That there should be paid to James Young, for 51 rifle and smooth-bore guns, 22 of which were delivered to Robert Towers and Samuel Appleton, 7 lost, and 22 delivered at Fort Washington, the sum of 571.25 dollars :

That there should be advanced to colonel Daniel Morgan, a balance due to him of 192.60 dollars :

That there should be advanced to him a further sum of 2727.76 dollars, to pay his troops in this city, and for which sums he is to account with the pay-master.

*Ordered*, That the said accounts be paid.

A letter, of the 13th, from William Aylett, was read :

*Ordered*, That it be referred to the committee appointed to enquire into the conduct of Carpenter Wharton, and to regulate the commissary's department.

A letter, of the 12th, from colonel Morgan, at Fort-Pitt, was read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday next.

#### MONDAY, *April 28*, 1777.

A letter, of the 22d, from general Gates, at Albany, with sundry papers enclosed ; and one, of the 23d, from Henry Fisher, at Lewistown, were read :

Whereas Henry Fisher has, agreeable to the power vested in him by Congress, appointed William Peery, captain ; John Wesley, first-lieutenant ; David Hazard, second-lieutenant ; and John Hazard, ensign, of the company ordered to be raised for the defence of Lewistown,

*Resolved*, That they be confirmed.

*Resolved*, That the letter from general Gates, with the papers enclosed, be referred to a committee of the whole Congress ; and that gen. Schuyler lay before the committee, the correspondence between him and gen. Washington, respecting the defence of Ticonderoga.

Congress then resolved itself into a committee of the whole, and after some time spent, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letter and papers to them referred, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will, to-morrow, again resolve itself into a committee of the whole, to consider the letter from gen. Gates, and the papers referred to them.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, *April 29*, 1777.

A letter of the 18th, from William Aylett, commissary in Virginia, was read.

*Ordered*, That it be referred to the committee on the commissary's department ; and that a copy of the said letter, so far as it relates to the procuring provisions for the army, be delivered to Joseph Trumbull, commissary-general, who is directed to give the necessary orders respecting the same.

Congress resumed the consideration of the report from the committee on the treasury of the 11th ; Whereupon,

*Resolved*, That 1,000 dollars be advanced to major Ottendorf, for recruiting his corps of rangers ; and that he be directed, forthwith, to produce a



certificate from the commissary-general of musters, or the deputy-master-general in this department, of the number of soldiers enlisted into his several companies.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That baron Ernst Siegesmond be appointed first-lieutenant, and John Conrad Latour, second lieutenant, in the corps commanded by major Ottendorf.

The committee appointed to confer with the president and council of the state of Delaware, on the necessity of calling out 1500 of the militia thereof, well armed and accoutred, to rendezvous at Chester, on Delaware, reported,

“ That they, together with general Mifflin, met the president and council at Wilmington, in the said state, and conferred with them on the business aforesaid ; that the said president and council gave assurance that they were willing and desirous to comply with the requisition of Congress for the aid of the militia aforesaid, and that every means in their power would be used to draw forth the number required : but they apprehended that this might be more probably effected, by fixing the place of their rendezvous near the Delaware, within the said state, and which would not be more than six or seven miles distant from the general rendezvous proposed at Chester : that your committee, with the approbation of general Mifflin, acceded to the proposal of fixing the place of rendezvous for the militia of the said state within the same, as the most probable means of obtaining their aid and service, and beg leave to recommend the same to Congress as equally advantageous to the public service ;” Whereupon,

*Resolved*, That Congress accept and agree to the report of the committee.

Congress then resolved itself into a committee of the whole, to consider farther the letter from general Gates, and the papers referred to them ; and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letters and papers to them referred, and have come to sundry resolutions, which he was ordered to report.

The report from the committee of the whole being read, was agreed to, as follows :

*Resolved*, That general Washington be directed to write to the eastern states, from whence the troops to be employed at Ticonderoga are expected, and to request them, in the name of Congress, to adopt and pursue every means, particularly those recommended by Congress, in their resolutions of the 14th of this month, for completing and forwarding the regiments which he has already ordered for that service, it being the opinion of Congress, that a delay in this matter will be attended with the loss of that important pass :

That the convention of New-York be requested to give all possible aid of the militia of their state, to keep open the communication between Albany and Ticonderoga ; and that an extract of general Gates's letter of the 19th, to general Washington, relative to the increase of tories, be transmitted to the said convention :

That general Gates be informed of the measures taken by Congress to reinforce him with men, and to supply him with money ; that he be informed, it is not the wish of Congress that he retain possession of that part of Ticonderoga which lies on the west side of Lake Champlain, if, in his judgment, the great point of preventing the enemy from penetrating the country may be better obtained by applying his whole force to the strengthening and securing Fort Independence and the water-defence of Lake-George :

That, if major-general Gates shall be of opinion, that there are not a sufficient number of carpenters employed on the vessels at Lake-George, he be authorized and directed immediately to engage as many as he shall think ne-

cessary for completing, with the utmost despatch, the water-craft now erecting on that lake :

That general Washington be directed to send to Congress the names of the general officers ordered to repair to Ticonderoga, and the number and names of the regiments under marching orders for that place :

That general St. Clair be informed, by express, of the approach of the enemy to Ticonderoga, and that he be directed to repair, without loss of time, to that place.

*Resolved*, That the commissioners for Indian affairs at Albany, be directed to accept of the offer made by the Oneidas, in their speech of the 19th of March, to col. Elmore, to send scouts to watch the motions of the enemy at Oswegatchie ; and that a copy of the said speech be transmitted to the commissioners at Albany.

Sundry amendments being offered to the resolutions passed on the muster-master's department,

*Resolved*, That the committee formerly appointed to regulate the department of the muster-master, be directed to revise the resolutions on that subject, and the amendments now offered to them.

A letter of the 26th, from general Washington, enclosing a copy of a letter to him from general Howe, was read.

The committee of treasury reported,

That there is due to Walter Drummond, for boarding sundry troops belonging to capt. Hand's company, 30.48 dollars :

To Christian Dull, for provisions supplied to sundry troops on their march, the sum of 38 dollars :

To lieutenant John Ellis, of the 2d Pennsylvania battalion, for sundry provisions he supplied a party of men who were left sick under his command in Canada, 6 22 dollars :

To colonel Evan Evans, for the balance of the pay-roll of his battalion of Chester county militia, in the service of the United States, from the 4th of December, 1776, to the 30th of January, 1777, the sum of 2181 69 dollars."

*Ordered*, That the said accounts be paid.

The committee on the treasury, brought in a farther report, which was taken into consideration ; Whereupon,

*Resolved*, That it be recommended to the several states, forthwith, to order the sums advanced by them for recruiting the continental battalions raised by the said states, together with the names of the officers receiving the same, to be transmitted to the pay-masters of such battalions ; and that the said pay-masters be respectively required, to call such officers to account for the same ; who shall produce certificates from the muster-master or deputy muster-master general, specifying the number of non-commissioned officers and soldiers, and also, if officers of the light-horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such other vouchers as shall be necessary to prove the sums expended for these articles, the subsistence of the troops before their joining the army, the loss of money by the deaths or desertions of non-commissioned officers and soldiers before muster, or other necessary expenses ; and it is farther recommended to the said states, that they order the said regimental pay-masters to report to them, the settlement of the said accounts, together with the vouchers to be produced when confirmed by the said states, to the treasury board, on adjustment of their accounts :

That it be recommended to the said states, if any of the pay-masters shall neglect to obey their directions, as aforesaid, to order their names to be transmitted to the commander in chief of the department, who shall, thereupon, remove from office, such delinquent pay-masters, and supply their places with such others as he shall think qualified :

That if any officer shall not, within one month after application for that purpose, render such accounts, the regimental pay-masters requiring the same, shall make report thereof to the commander in chief of the department, who shall order a court-martial on such officer, and also on such other officer as shall be guilty of embezzling the public money; and the fact being ascertained by their reports, shall immediately cause him to be cashiered, and a copy of the report delivered to the regimental pay-master, to be transmitted to the state to which he belongs, that such state may give proper orders for compelling the delinquent officer to account in a court of justice:

That duplicate accounts of all monies advanced by Congress, by general officers, and by the pay-master and deputy pay-masters general, for recruiting continental battalions, be transmitted by the treasury board, such general officers, pay-master and deputy pay-masters general respectively, to the commissioners of accounts for the army in the northern and middle departments, who shall deliver the same to the respective regimental pay-masters, to enable them to call the officers, chargeable with such money, to account, in the manner before directed; and the said regimental pay-masters shall transmit to the respective commissioners, aforesaid, the settlement of such accounts, with the vouchers, who shall report to the treasury-office those which are approved by them, and shall proceed with the regimental pay-master neglecting to obey their directions herein, and officers not accounting for the monies by them received as aforesaid, in the manner proposed to be pursued by the states, in consequence of the preceding resolve:

That the general officers, pay-master and deputy pay-masters general respectively, be also directed, to transmit to the treasury office, duplicate accounts of all monies advanced by them for recruiting continental battalions as aforesaid:

That all regimental pay-masters be directed to apply to the respective commissioners, for accounts of the sums advanced to their officers, as aforesaid:

That all commissioners of claims or accounts be empowered to administer oaths or affirmations to persons examined by them in the execution of their office:

That accounts received by the auditor-general, or, in his absence, the assistant auditor, from the commissioners of claims, agreeably to a resolve of Congress, of the 13th of March last, be approved by them respectively, before such accounts are reported to Congress.

That all pay-rolls of the militia which shall be tendered to Congress or the board of treasury, for payment, be referred, for examination and adjustment, to the commissioners of claims; and reports thereon shall be made to the treasury board; who, approving thereof, shall issue their warrants for the discharge of the same, on the pay-master appointed for that purpose; and all resolutions heretofore passed, which are repugnant to this mode of settlement and payment, be repealed.

Whereas, by a resolution of Congress, passed on the 5th of November, 1776, it is directed, "That all accounts for service done, or articles supplied the northern army, shall be presented to the commissioners for settling accounts, and that so much thereof as shall be approved by them, and confirmed by the general, be paid by his warrant on the pay-master:" And, whereas, doubts have arisen, whether, by the said resolution, it is not required of the general, to enter into the detail and examination of the said accounts, to enable him to confirm the report of the commissioners; and such duty being, in time of war, impracticable;

*Resolved, therefore,* That so much of all the accounts, above described, as shall be approved by the commissioners, and not objected to by the general, shall be paid, by his warrant, in the manner the said resolution prescribes.

**Resolved**, That there be allowed to each of the commissioners for settling the public accounts of the army in the northern and middle departments, while they, respectively, continue in that office, at and after the rate of four dollars a day.

A letter, of the 26th, from governor Johnson, of Maryland, enclosing a copy of a letter, from the said governor, to James Nicholson, captain of the Virginia, and of captain Nicholson's answer, being received, was read :

**Ordered**, That the same be referred to the marine committee, and that they report thereon to-morrow.

**Resolved**, That the said committee be directed to order captain Nicholson to dismiss all the men he has impressed, and not to depart with the frigate till further orders.

**Resolved**, That two members be added to the said committee :

The members chosen, Mr. P. Livingston and Mr. W. Smith.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, April 30, 1777.

A letter, of the 28th, from gen. Washington, at Morristown, with a copy of a letter to him from brigadier gen. M'Dougal, and sundry other intelligence respecting the enemy's marching to Danbury, was read :

**Resolved**, That a committee of four be appointed to confer with the commissary-general, on the means of obviating the ill consequences that may ensue from the loss of the provisions at Danbury :

The members chosen, Mr. Duer, Mr. Nelson, Mr. S. Adams, and Mr. Gerry.

**Ordered**, That 400 dollars be paid to captain John Hunter, the same being in full of an order in his favour drawn by general Washington on William Palfrey, esq. pay-master general, for recruiting a company on continental establishment, dated the 26th of April, 1777, and that the same be charged to the account of the said William Palfrey, esq.

**Resolved**, That a committee of three be appointed to prepare an address to the inhabitants of the thirteen United States, on the present situation of public affairs :

The members chosen, Mr. Wilson, Mr. Duer, and Mr. Burke.

**Resolved**, That a committee of three be appointed to confer with the executive power of the state of Pennsylvania, on the general situation of affairs in that state :

The members chosen, Mr. Duer, Mr. J. Adams, and Mr. Rumsey.

**Resolved**, That 100,000 dollars be advanced to the state of Pennsylvania for public service, the said state to be accountable.

The committee appointed to confer with the commissary-general brought in a report, which was read.

**Ordered**, That a copy of the said report be sent to gen. Washington by gen. Schuyler, with the reasons on which the same is founded ; and that so much of the said report as relates to the removal of provisions from Derby, Salisbury, Canaan and Sharon, and the magazines from which the armies are to be supplied, be delivered to the quarter-master and commissary-general, with orders to take measures for carrying the same into execution, if approved by general Washington.

**Resolved**, That 1000 head of fat cattle be immediately purchased in the eastern-states, and sent, without delay, into Ulster county, to be there dispersed among the inhabitants, with orders to keep up their flesh with hay, corn or otherwise, until they can be turned to grass.

**Resolved**, That if the enemy attempt to penetrate up Hudson's river, all the wheat that can be collected in Dutchess county, and in the manor of Livingston, Claverick and Kinderhook districts, be removed into the north-

western parts of Connecticut, and the western parts of Massachusetts-Bay; and that it be recommended to the convention of the state of New-York, to direct the mode of doing it.

*Resolved*, That the legislatures of the eastern states be desired to recommend, and point out to the inhabitants thereof, such mode as to them shall seem best calculated to afford the most early supply of grass-fattened cattle, for the use of the armies of the United States.

*Resolved*, That the commissary-general be directed to deliver 500 bushels of salt to such persons as the quarter-master general shall appoint to receive the same, and that it be immediately sent into Ulster county, to be divided and lodged at the different magazines of provisions to be formed there.

*Resolved*, That major-gen. Schuyler be directed to send a proper officer, to hasten the march of the Carolina continental troops, supposed to be now on their way to head-quarters; that the said troops halt at Dumfries, Colchester, and Alexandria, in Virginia, there to pass through inoculation; which the hospital-surgeons, lately despatched from this city to Dumfries, are directed to see effected, with the greatest despatch.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, May 1, 1777.

A letter, of the 21st of April, from Ephraim Blaine, esq. was read :

*Ordered*, That it be referred to the board of war.

An appeal from the judgment of a court of admiralty, held at Newbern, for the port of Beaufort, in the state of North-Carolina, on the libel "James Coor, &c. vs. the brigantine Hannah, &c." being lodged with the secretary, was referred to the committee on appeals.

*Resolved*, That fifty blank commissions for private ships of war, with an equal number of instructions and resolutions of Congress for taking or destroying the vessels of the subjects of Great-Britain, be delivered to the committee for foreign affairs, to be by them transmitted to the commissioners at the court of France.

*Ordered*, That the committee for foreign affairs revise the commissions for private ships of war, and the instructions heretofore given to the commanders of the said ships, and report such alterations and amendments as they judge proper to be made therein.

*Resolved*, That Tuesday next be assigned for appointing commissioners for the courts of Vienna, Berlin and Tuscany.

Congress took into consideration the letter of the 26th of last month from governor Johnson, the copy of the said governor's letter to captain James Nicholson, and captain Nicholson's answer; Whereupon,

*Resolved*, That this Congress will never countenance or support any continental officer in violating the laws of any state or treating its magistrates with contempt :

*Resolved*, That captain James Nicholson be suspended from all command, in the service of the United States, until he shall have made such satisfaction, as shall be accepted by the executive powers of the state of Maryland, for the disrespectful and contemptuous letter written by him to the governor of that state.

*Resolved*, That captain James Nicholson be served with a copy of the said resolutions, and that, in case he shall not, within five days after he hath been served with the said copy, make the satisfaction required, he be dismissed from his command from the service of the United States.

*Ordered*, That the foregoing resolutions be immediately transmitted by the marine committee, and that they give the necessary orders for immediately dismissing the men impressed by captain Nicholson.



A letter, of the 30th of April, from general Washington, with sundry papers enclosed, respecting the enemy's expedition to Danbury, was read:

*Ordered*, That the same, together with the letters received yesterday on the same subject, be referred to the committee of intelligence.

Congress being informed, that governor Johnson has, in pursuance of the resolution of Congress, of April 19th, for the purposes therein expressed, detained colonel Richardson's battalion, two companies of which are now in Philadelphia on their way to general Washington:

*Resolved*, That the said companies proceed to the army, and that governor Johnson be empowered to replace them, by detaining two companies of the weakest Maryland battalion remaining in that state.

A petition from Patrick Colvin, was read:

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That a warrant for \$2,000 dollars be drawn on Joseph Borden, esq. commissioner of the loan-office for the state of New-Jersey, in favor of William Palfrey, esq. pay-master general, who is to be accountable.

The committee on the treasury reported,

That there is due to Joseph Ward, esq. for his services as secretary to major-general Ward, while he had the command in Massachusetts-Bay, as follows: from the 30th of April, 1775, to the 2d of July following, 73 days; and from the 30th of March, 1776, to the 26th of September following, 180 days, making in the whole 253 days, at 38 dollars per month, \$274.24 dollars:

To David Kerr, late a prisoner of colonel Montgomery's battalion of the flying-camp, for his pay from the time he was taken prisoner till his return, one month and 20 days, 12 dollars:

To Andrew Elder, late a corporal in the above battalion, for his pay while a prisoner, and which is claimed by his father, one month and 23 days, 12.86 dollars:

To colonel Henry Haller, for the balance of the pay-roll of his battalion of Pennsylvania forces of the flying-camp, the sum of £ 1380 18 0 $\frac{1}{4}$ :

To sundry soldiers of the said battalion who were taken prisoners, and have since returned, and which is to be paid to the said H. Haller, £ 683 13 10, equal to 1828.16 dollars, both sums making 5605.52 dollars.

*Ordered*, That the said sums be paid.

*Ordered*, That Mr. Brownson have leave of absence.

*Ordered*, That Mr. Thornton have leave to return home.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, May 2, 1777.

*Ordered*, That Mr. Wolcott have leave of Congress to return to Connecticut.

*Ordered*, That 500 dollars be advanced to the delegates of Connecticut for the use of that state, which is to be accountable.

*Ordered*, That 224 $\frac{1}{2}$  dollars be advanced to Morgan Alexander, captain in the 2d Virginia battalion; he to be accountable.

The committee on the treasury reported,

That there is due to Christopher, jun. and Charles Marshall, for sundry medicines and chirurgical instruments supplied by them for the use of different battalions of continental forces, the sum of 4151.48 dollars:

To Dr. George Glentworth, for sundry medicines supplied the sick of captain Doyle's company in continental service, the sum of 28.48 dollars:

To Dr. Frederick Phile, for sundry medicines administered by him to several battalions of continental forces, the sum of 1312.33 dollars.

*Ordered*, That the said accounts be paid.

*Resolved*, That all master-rolls, directed to be taken, be sworn to before



some general officer of the army, or, in the absence of a general officer, before the commanding officer of the post where the muster is made, or some civil magistrate in these United States; and a certificate thereof be made on the back of each roll in the words following: "We do swear, that the within muster-roll is a true state of the company, without fraud to these United States, or to any individual, according to our best knowledge." A. B. C. D. lieutenant or ensign. Sworn to before me, this            day of            E.

*Resolved*, That each deputy muster-master deliver to the deputy muster-master general of his department, one certified copy of all muster-rolls by which the latter shall make the abstracts required from him.

*Resolved*, That the commissary-general of musters and his deputies shall take an oath of office and fidelity to these United States.

*Resolved*, That in the absence of the commander in chief from any department, the deputy muster-masters shall be appointed by the commander in that department.

*Resolved*, That the mustering officers be empowered and directed to require of the officers, whose troops are mustered, any papers or vouchers relative to the enlistment and muster.

*Ordered*, That the sum of 1600 dollars be advanced to colonel John Hawkins Stone, of the first Maryland battalion; and the sum of 1066 2-3 dollars, to lieutenant-colonel Thomas Woolford, of the second, for the use of their respective battalions; they to be accountable.

*Resolved*, That a major-general and a brigadier-general be appointed in the army of the United States.

Congress proceeded to ballot for a major-general, and brigadier-general Benedict Arnold was elected.

*Resolved*, That the appointment of a brigadier-general be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, May 3, 1777.

*Ordered*, That the sum of 885½ dollars be advanced to the delegates of Maryland, for the use of the detachment of colonel Richardson's battalion, which is ordered to join the army, under the immediate command of general Washington; and that the said sum be charged to the account of the said battalion.

*Ordered*, That 100,000 dollars be advanced to Joseph Trumbull, esq. commissary-general, for the public service; he to be accountable.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Christopher Ludwick be appointed superintendent of bakers, and director of baking, in the grand army of the United States; that he have power to license, with the approbation of the commander in chief, or officer commanding at any principal post, all persons to be employed in this business, and to regulate their pay, making proper report of his proceedings, and using his best endeavours to rectify all abuses in the article of bread:

That no person be permitted to exercise the trade of baker in the said army without such license; and that he receive for his services herein, an allowance of 75 dollars a month and two rations a day.

*Resolved*, That John Belton be authorized and appointed to superintend, and direct, the making or altering of 100 muskets, on the construction exhibited by him, and called "the new improved gun," and that he receive a reasonable compensation for his trouble, and be allowed all just and necessary expenses.

*Resolved*, That Christian Mankey receive a commission as first-lieutenant, and George Shoffner as second-lieutenant, in captain John Paul Shott's in-

dependent company; and that the said commissions bear date the 4th of February last, the time they were appointed to act by the captain, in consequence of orders from general Washington.

*Ordered*, That the farther consideration of the report be postponed to Monday next.

*Resolved*, That Christian Frolock be appointed a second-lieutenant in captain Selim's company, of major Ottendorf's corps.

*Resolved*, That another brigadier-general be appointed in the army of the United States, and that the appointment of the two brigadiers be postponed to Monday next.

The committee on the treasury reported,

That there should be advanced to colonel Thomas Hartley, commanding one of the 16 additional battalions, for the use of his regiment, on the application of major Lewis Bush, the sum of 6000 dollars: the said colonel to be accountable:

That there should be advanced to colonel David Hall, commanding the battalion of continental troops, raised in the state of Delaware, 6000 dollars, for the use of his battalion, he to be accountable:

That there should be advanced to capt. John Paul Shott, for the use of his independent company, the sum of 300 dollars; he to be accountable:

That there is due to captain Samuel Griffith, for the expenses of 7 men, from Baltimore to Philadelphia, as a guard for money, 37 dollars:

To Robert Erwin, for 12 cords of wood and sawing, delivered for the use of Congress, 131 dollars:

To James Jackson, to be paid to col. Henry Haller, for pay, as a private from the 15th of December to the 24th of January, when he returned from New-York, and his mileage from thence, 9.79 dollars:

To Steiner & Cist, printers, for printing the address of the assembly for the state of New-York, in German, 1000 copies, and for paper, 39.39 dols.

To Lewis Weiss, for translating the said address into German, 16 dollars:

To the committee of York county, in Pennsylvania, for the board of ten prisoners, from the 3d of July to the 23d of November, 19 weeks, at one dollar per man, per week, a balance of 180 dollars:

To Nathaniel Donnel, as commissary of musters for the militia, for pay, from the 16th of July, 1776, to the 25th of March, 1777, eight months and nine days, at 40 dollars a month, and for 250 days' rations, at 4 rations a day, both amounting to 421.54 dollars:

To William Smith, late a captain in the 6th Pennsylvania battalion, commanded by colonel Irwin, on the balance of his several accounts, 1799.89 dollars:

To William Rippey, late a captain in the same regiment, on his several accounts, 1561.68 dollars:

To captain Hay, for a balance of several accounts against his company in the said regiment, 960 dollars:

To captain Jeremiah Talbot, for a balance on his account against his company in the said regiment, 1233.6 dollars.

*Ordered*, That the said accounts be paid.

*Resolved*, That whenever an account with the United States shall be settled by any of the commissioners of accounts, returned to and approved by the board of treasury, and by them reported to and confirmed by Congress, the board of treasury shall be authorized to give the accountant a sufficient discharge for the same.

The committee on the treasury reported,

That the commissioners for settling the accounts of the army in the northern department, have produced to the treasury board, among other accounts adjusted by them, a general account of the receipts and disburse-

certificate from the commissary-general of musters, or the deputy-master-general in this department, of the number of soldiers enlisted into his several companies.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That baron Ernst Siegesmond be appointed first-lieutenant, and John Conrad Latour, second lieutenant, in the corps commanded by major Ottendorf.

The committee appointed to confer with the president and council of the state of Delaware, on the necessity of calling out 1500 of the militia thereof, well armed and accoutred, to rendezvous at Chester, on Delaware, reported,

“ That they, together with general Mifflin, met the president and council at Wilmington, in the said state, and conferred with them on the business aforesaid ; that the said president and council gave assurance that they were willing and desirous to comply with the requisition of Congress for the aid of the militia aforesaid, and that every means in their power would be used to draw forth the number required : but they apprehended that this might be more probably effected, by fixing the place of their rendezvous near the Delaware, within the said state, and which would not be more than six or seven miles distant from the general rendezvous proposed at Chester : that your committee, with the approbation of general Mifflin, acceded to the proposal of fixing the place of rendezvous for the militia of the said state within the same, as the most probable means of obtaining their aid and service, and beg leave to recommend the same to Congress as equally advantageous to the public service ;” Whereupon,

*Resolved*, That Congress accept and agree to the report of the committee.

Congress then resolved itself into a committee of the whole, to consider farther the letter from general Gates, and the papers referred to them ; and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letters and papers to them referred, and have come to sundry resolutions, which he was ordered to report.

The report from the committee of the whole being read, was agreed to, as follows :

*Resolved*, That general Washington be directed to write to the eastern states, from whence the troops to be employed at Ticonderoga are expected, and to request them, in the name of Congress, to adopt and pursue every means, particularly those recommended by Congress, in their resolutions of the 14th of this month, for completing and forwarding the regiments which he has already ordered for that service, it being the opinion of Congress, that a delay in this matter will be attended with the loss of that important pass :

That the convention of New-York be requested to give all possible aid of the militia of their state, to keep open the communication between Albany and Ticonderoga ; and that an extract of general Gates's letter of the 19th, to general Washington, relative to the increase of tories, be transmitted to the said convention :

That general Gates be informed of the measures taken by Congress to reinforce him with men, and to supply him with money ; that he be informed, it is not the wish of Congress that he retain possession of that part of Ticonderoga which lies on the west side of Lake Champlain, if, in his judgment, the great point of preventing the enemy from penetrating the country may be better obtained by applying his whole force to the strengthening and securing Fort Independence and the water-defence of Lake-George :

That, if major-general Gates shall be of opinion, that there are not a sufficient number of carpenters employed on the vessels at Lake-George, he be authorized and directed immediately to engage as many as he shall think ne-

cessary for completing, with the utmost despatch, the water-craft now erecting on that lake :

That general Washington be directed to send to Congress the names of the general officers ordered to repair to Ticonderoga, and the number and names of the regiments under marching orders for that place :

That general St. Clair be informed, by express, of the approach of the enemy to Ticonderoga, and that he be directed to repair, without loss of time, to that place.

*Resolved*, That the commissioners for Indian affairs at Albany, be directed to accept of the offer made by the Oneidas, in their speech of the 19th of March, to col. Elmore, to send scouts to watch the motions of the enemy at Oswegatchie ; and that a copy of the said speech be transmitted to the commissioners at Albany.

Sundry amendments being offered to the resolutions passed on the muster-master's department,

*Resolved*, That the committee formerly appointed to regulate the department of the muster-master, be directed to revise the resolutions on that subject, and the amendments now offered to them.

A letter of the 26th, from general Washington, enclosing a copy of a letter to him from general Howe, was read.

The committee of treasury reported,

That there is due to Walter Drummond, for boarding sundry troops belonging to capt. Hand's company, 30.43 dollars :

To Christian Dull, for provisions supplied to sundry troops on their march, the sum of 38 dollars :

To lieutenant John Ellis, of the 2d Pennsylvania battalion, for sundry provisions he supplied a party of men who were left sick under his command in Canada, 6 22 dollars :

To colonel Evan Evans, for the balance of the pay-roll of his battalion of Chester county militia, in the service of the United States, from the 4th of December, 1776, to the 30th of January, 1777, the sum of 2181 69 dollars."

*Ordered*, That the said accounts be paid.

The committee on the treasury, brought in a farther report, which was taken into consideration ; Whereupon,

*Resolved*, That it be recommended to the several states, forthwith, to order the sums advanced by them for recruiting the continental battalions raised by the said states, together with the names of the officers receiving the same, to be transmitted to the pay-masters of such battalions ; and that the said pay-masters be respectively required, to call such officers to account for the same ; who shall produce certificates from the muster-master or deputy muster-master general, specifying the number of non-commissioned officers and soldiers, and also, if officers of the light-horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such other vouchers as shall be necessary to prove the sums expended for these articles, the subsistence of the troops before their joining the army, the loss of money by the deaths or desertions of non-commissioned officers and soldiers before muster, or other necessary expenses ; and it is further recommended to the said states, that they order the said regimental pay-masters to report to them, the settlement of the said accounts, together with the vouchers to be produced when confirmed by the said states, to the treasury board, on adjustment of their accounts :

That it be recommended to the said states, if any of the pay-masters shall neglect to obey their directions, as aforesaid, to order their names to be transmitted to the commander in chief of the department, who shall, thereupon, remove from office, such delinquent pay-masters, and supply their places with such others as he shall think qualified :

certificate from the commissary-general of musters, or the deputy-master-general in this department, of the number of soldiers enlisted into his several companies.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That baron Ernst Siegesmond be appointed first-lieutenant, and John Conrad Latour, second lieutenant, in the corps commanded by major Ottendorf.

The committee appointed to confer with the president and council of the state of Delaware, on the necessity of calling out 1500 of the militia thereof, well armed and accoutred, to rendezvous at Chester, on Delaware, reported,

“ That they, together with general Mifflin, met the president and council at Wilmington, in the said state, and conferred with them on the business aforesaid ; that the said president and council gave assurance that they were willing and desirous to comply with the requisition of Congress for the aid of the militia aforesaid, and that every means in their power would be used to draw forth the number required : but they apprehended that this might be more probably effected, by fixing the place of their rendezvous near the Delaware, within the said state, and which would not be more than six or seven miles distant from the general rendezvous proposed at Chester : that your committee, with the approbation of general Mifflin, acceded to the proposal of fixing the place of rendezvous for the militia of the said state within the same, as the most probable means of obtaining their aid and service, and beg leave to recommend the same to Congress as equally advantageous to the public service ;” Whereupon,

*Resolved*, That Congress accept and agree to the report of the committee.

Congress then resolved itself into a committee of the whole, to consider farther the letter from general Gates, and the papers referred to them ; and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letters and papers to them referred, and have come to sundry resolutions, which he was ordered to report.

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*Resolved*, That general Washington be directed to write to the eastern states, from whence the troops to be employed at Ticonderoga are expected, and to request them, in the name of Congress, to adopt and pursue every means, particularly those recommended by Congress, in their resolutions of the 14th of this month, for completing and forwarding the regiments which he has already ordered for that service, it being the opinion of Congress, that a delay in this matter will be attended with the loss of that important pass :

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That general Gates be informed of the measures taken by Congress to reinforce him with men, and to supply him with money ; that he be informed, it is not the wish of Congress that he retain possession of that part of Ticonderoga which lies on the west side of Lake Champlain, if, in his judgment, the great point of preventing the enemy from penetrating the country may be better obtained by applying his whole force to the strengthening and securing Fort Independence and the water-defence of Lake-George :

That, if major-general Gates shall be of opinion, that there are not a sufficient number of carpenters employed on the vessels at Lake-George, he be authorized and directed immediately to engage as many as he shall think ne-



cessary for completing, with the utmost despatch, the water-craft now erecting on that lake :

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*Resolved*, That the commissioners for Indian affairs at Albany, be directed to accept of the offer made by the Oneidas, in their speech of the 19th of March, to col. Elmore, to send scouts to watch the motions of the enemy at Oswegatchie ; and that a copy of the said speech be transmitted to the commissioners at Albany.

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To colonel Evan Evans, for the balance of the pay-roll of his battalion of Chester county militia, in the service of the United States, from the 4th of December, 1776, to the 30th of January, 1777, the sum of 2181 69 dollars."

*Ordered*, That the said accounts be paid.

The committee on the treasury, brought in a farther report, which was taken into consideration ; Whereupon,

*Resolved*, That it be recommended to the several states, forthwith, to order the sums advanced by them for recruiting the continental battalions raised by the said states, together with the names of the officers receiving the same, to be transmitted to the pay-masters of such battalions ; and that the said pay-masters be respectively required, to call such officers to account for the same ; who shall produce certificates from the muster-master or deputy muster-master general, specifying the number of non-commissioned officers and soldiers, and also, if officers of the light-horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such other vouchers as shall be necessary to prove the sums expended for these articles, the subsistence of the troops before their joining the army, the loss of money by the deaths or desertions of non-commissioned officers and soldiers before muster, or other necessary expenses ; and it is further recommended to the said states, that they order the said regimental pay-masters to report to them, the settlement of the said accounts, together with the vouchers to be produced when confirmed by the said states, to the treasury board, on adjustment of their accounts :

That it be recommended to the said states, if any of the pay-masters shall neglect to obey their directions, as aforesaid, to order their names to be transmitted to the commander in chief of the department, who shall, thereupon, remove from office, such delinquent pay-masters, and supply their places with such others as he shall think qualified :



That if any officer shall not, within one month after application for that purpose, render such accounts, the regimental pay-masters requiring the same, shall make report thereof to the commander in chief of the department, who shall order a court-martial on such officer, and also on such other officer as shall be guilty of embezzling the public money; and the fact being ascertained by their reports, shall immediately cause him to be cashiered, and a copy of the report delivered to the regimental pay-master, to be transmitted to the state to which he belongs, that such state may give proper orders for compelling the delinquent officer to account in a court of justice:

That duplicate accounts of all monies advanced by Congress, by general officers, and by the pay-master and deputy pay-masters general, for recruiting continental battalions, be transmitted by the treasury board, such general officers, pay-master and deputy pay-masters general respectively, to the commissioners of accounts for the army in the northern and middle departments, who shall deliver the same to the respective regimental pay-masters, to enable them to call the officers, chargeable with such money, to account, in the manner before directed; and the said regimental pay-masters shall transmit to the respective commissioners, aforesaid, the settlement of such accounts, with the vouchers, who shall report to the treasury-office those which are approved by them, and shall proceed with the regimental pay-master neglecting to obey their directions herein, and officers not accounting for the monies by them received as aforesaid, in the manner proposed to be pursued by the states, in consequence of the preceding resolve:

That the general officers, pay-master and deputy pay-masters general respectively, be also directed, to transmit to the treasury office, duplicate accounts of all monies advanced by them for recruiting continental battalions as aforesaid:

That all regimental pay-masters be directed to apply to the respective commissioners, for accounts of the sums advanced to their officers, as aforesaid:

That all commissioners of claims or accounts be empowered to administer oaths or affirmations to persons examined by them in the execution of their office:

That accounts received by the auditor-general, or, in his absence, the assistant auditor, from the commissioners of claims, agreeably to a resolve of Congress, of the 13th of March last, be approved by them respectively, before such accounts are reported to Congress.

That all pay-rolls of the militia which shall be tendered to Congress or the board of treasury, for payment, be referred, for examination and adjustment, to the commissioners of claims; and reports thereon shall be made to the treasury board; who, approving thereof, shall issue their warrants for the discharge of the same, on the pay-master appointed for that purpose; and all resolutions heretofore passed, which are repugnant to this mode of settlement and payment, be repealed.

Whereas, by a resolution of Congress, passed on the 5th of November, 1776, it is directed, "That all accounts for service done, or articles supplied the northern army, shall be presented to the commissioners for settling accounts, and that so much thereof as shall be approved by them, and confirmed by the general, be paid by his warrant on the pay-master:" And, whereas, doubts have arisen, whether, by the said resolution, it is not required of the general, to enter into the detail and examination of the said accounts, to enable him to confirm the report of the commissioners; and such duty being, in time of war, impracticable;

*Resolved, therefore,* That so much of all the accounts, above described, as shall be approved by the commissioners, and not objected to by the general, shall be paid, by his warrant, in the manner the said resolution prescribes.

*Resolved*, That there be allowed to each of the commissioners for settling the public accounts of the army in the northern and middle departments, while they, respectively, continue in that office, at and after the rate of four dollars a day.

A letter, of the 26th, from governor Johnson, of Maryland, enclosing a copy of a letter, from the said governor, to James Nicholson, captain of the Virginia, and of captain Nicholson's answer, being received, was read :

*Ordered*, That the same be referred to the marine committee, and that they report thereon to-morrow.

*Resolved*, That the said committee be directed to order captain Nicholson to dismiss all the men he has impressed, and not to depart with the frigate till further orders.

*Resolved*, That two members be added to the said committee :

The members chosen, Mr. P. Livingston and Mr. W. Smith.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, April 30, 1777.

A letter, of the 28th, from gen. Washington, at Morristown, with a copy of a letter to him from brigadier gen. M'Dougal, and sundry other intelligence respecting the enemy's marching to Danbury, was read :

*Resolved*, That a committee of four be appointed to confer with the commissary-general, on the means of obviating the ill consequences that may ensue from the loss of the provisions at Danbury :

The members chosen, Mr. Duer, Mr. Nelson, Mr. S. Adams, and Mr. Gerry.

*Ordered*, That 400 dollars be paid to captain John Hunter, the same being in full of an order in his favour drawn by general Washington on William Palfrey, esq. pay-master general, for recruiting a company on continental establishment, dated the 26th of April, 1777, and that the same be charged to the account of the said William Palfrey, esq.

*Resolved*, That a committee of three be appointed to prepare an address to the inhabitants of the thirteen United States, on the present situation of public affairs :

The members chosen, Mr. Wilson, Mr. Duer, and Mr. Burke.

*Resolved*, That a committee of three be appointed to confer with the executive power of the state of Pennsylvania, on the general situation of affairs in that state :

The members chosen, Mr. Duer, Mr. J. Adams, and Mr. Rumsey.

*Resolved*, That 100,000 dollars be advanced to the state of Pennsylvania for public service, the said state to be accountable.

The committee appointed to confer with the commissary-general brought in a report, which was read.

*Ordered*, That a copy of the said report be sent to gen. Washington by gen. Schuyler, with the reasons on which the same is founded ; and that so much of the said report as relates to the removal of provisions from Derby, Salisbury, Canaan and Sharon, and the magazines from which the armies are to be supplied, be delivered to the quarter-master and commissary-general, with orders to take measures for carrying the same into execution, if approved by general Washington.

*Resolved*, That 1000 head of fat cattle be immediately purchased in the eastern-states, and sent, without delay, into Ulster county, to be there dispersed among the inhabitants, with orders to keep up their flesh with hay, corn or otherwise, until they can be turned to grass.

*Resolved*, That if the enemy attempt to penetrate up Hudson's river, all the wheat that can be collected in Dutchess county, and in the manor of Livingston, Claverick and Kinderhook districts, be removed into the north-

missioners for settling the army accounts in the northern department, from the 26th of July to the 9th of May, inclusive, 287 days, at four dollars each per day, 3444 dollars :

*Ordered*, That the said accounts be paid.

The board of war brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That general Washington be informed, that Congress are deeply concerned at the many reports they constantly receive of the misbehaviour of great numbers of the officers of the army in neglecting to settle with, or designedly withholding the pay of the soldiers, whereby the greatest injuries accrue to our cause, by occasioning discontents and desertions among the soldiers ; and that it be recommended to the general, to establish a court of enquiry, to examine into the conduct of the officers as to the payment of their men, to consist of general officers only ; and that the paymasters furnish the said court, or any person or persons authorized by them, with accounts of all moneys paid to officers for the payment of their regiments, troops or companies ; and if any officer or officers shall be found delinquent in the payment of the men under their command, such officer or officers be dismissed with infamy, and accounts of their misconduct transmitted to the states wherein they were appointed ; in order that the said officers be prosecuted at law, as peculators and public plunderers, for any sum or sums they may be found in arrear.

That it be recommended to the legislatures of the several states, to observe great caution in settling the terms on which the militia shall be excused from personal service. agreeably to the resolve of Congress of the 14th day of April last ; the measure therein recommended having been found, by experience, subject to great abuses and inconveniencies.

A petition from Francis Wade, and one from John Lawrie, Michael Mount, and Jacob Hendrickson, were read :

*Ordered*, That they be referred to the committee on the commissary's department.

*Ordered*, That Mr. Roberdeau have leave of absence for the recovery of his health.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, May 10, 1777.

*Ordered*, That the sum of 4000 dollars be paid to John Anderson, or order, and charged to the account of colonel George Morgan, the same being in full of colonel G. Morgan's draught in favor of the said John Anderson, dated Fort-Pitt, February 12, 1777.

A letter, of the 9th, from J. M'Kinley, president of Delaware ; one, of the 2d, from major-general Gates, at Albany ; and one, of the 22d of April, from colonel H. Crawford, at Fort-Pitt ; also, the proceedings of a court-martial held at Philadelphia, the 30th of April, 1777, on the trial of captain Lang, with general Schuyler's disapprobation thereof, delivered at head-quarters, Philadelphia, May the 9th ; and the proceedings of a court-martial, held at Philadelphia, May the 5th, and approved by general Schuyler, were laid before Congress, and read :

*Ordered*, That the letter from general Gates, and the proceedings of the court-martial, be referred to the board of war.

*Ordered*, That the board of war enquire into the conduct of captain Gamble, a prisoner at Princeton, and particularly of Dr. Stapleton, who has been permitted to attend captain M'Pherson, a prisoner of the 17th British regiment, at the same place : That they write to governor Livingston relating to the conduct of the said Dr. Stapleton, and transmit to general Washington the result of their enquiries, and desire him to give such orders,

respecting the said doctor, as may be consistent with the laws of nations and the public weal ; and that they give orders for the immediate removal of the said officers and doctor from Princeton and the line of communication.

*Ordered*, That 1000 dollars be advanced to major George Lyne, of the 12th Virginia regiment, for the use of the said regiment.

*Resolved*, That the case of the soldiers of the 7th Virginia regiment, be referred to the board of war, who are desired to report whether any clothes are to be allowed to them.

The committee on the treasury reported,

That there should be advanced to major Ottendorf, for the use of his corps, 500 dollars ; he to be accountable :

That there should be advanced to James Hunter, pay-master to the 4th Pennsylvania battalion of continental troops, 2000 dollars, for the use of the said battalion ; the said pay-master to be accountable :

That there is due to Philip Melon, late a private in captain Rippey's company of the 6th Pennsylvania regiment, for a rifle-gun taken by the enemy, 13.60 dollars :

To William Millegan, late a private in captain Talbot's company, of the 6th Pennsylvania regiment, for his pay from August the 1st to the 20th of March, 1777, being 7 months and 20 days, at 6 2-3 dollars per month, 51.10 dollars :

*Ordered*, That the said accounts be paid.

The committee on foreign applications brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That Mons. Armand have a commission, with the rank of colonel, and that he be directed to repair to general Washington.

That Monsieur Malmedy be promoted to the rank, and have the pay, of a colonel in the service of the United States.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, May 12, 1777.

A letter, of the 5th, from general St. Clair, at Bedford, and a petition from Ebenezer Hazard, were read :

*Ordered*, That the petition be referred to the committee on the post-office.

A petition from Simon Edwards and others, pilots at Lewistown, was read :

*Ordered*, That it be referred to the marine-committee.

*Resolved*, That the secret-committee be empowered to employ the Amphitrite as an armed vessel in the service of the United States, on the best terms they can make with the captain, and to allow him for his owners, himself and crew, such share of the prizes by her taken as shall be agreed on between them.

Congress proceeded to the election of two brigadiers-general, and, the ballots being taken, colonel Jedediah Huntington, and colonel Joseph Reed, were elected.

The committee on the post-office, to whom the petition of Mr. E. Hazard was referred, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That all post-masters, post-riders, and persons immediately concerned in conducting the business of the post-office, ought to be exempted from all military duties ; and that it be recommended to the legislatures of the different states, to exempt such persons accordingly.

A letter, of the 5th, from governor Trumbull, was read :

*Ordered*, That it be referred to the board of war.

A motion being made respecting general Schuyler :

*Ordered*, That it be referred to the board of war.

A letter, of the 9th, from gen. Washington, with a copy of one of the 30th of November last from Silas Deane, brought by col. Conway, were read :

*Ordered*, That they be referred to the committee on foreign applications.

*Resolved*, That a member be added to the said committee :

The member chosen, Mr. Carroll.

*Ordered*, That 1000 dollars be advanced to captain Matthew Irwin, to enable him to raise the company to which he is appointed by general Washington, in one of the sixteen regiments.

*Resolved*, That the committee on appeals be authorized to appoint a register to attend the said committee.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, May 13, 1777.

*Ordered*, That 800 dollars be advanced to captain Craig, of the light-horse, for the use of his troop ; he to be accountable.

*Ordered*, That the board of war enquire into the truth of a report, that captain Craig has enlisted into his troop some deserters and prisoners from the enemy, and that they take such measures as are consistent with the resolutions of Congress and the public service.

A letter, of the 10th, and one of the 12th, from general Washington, were read :

*Ordered*, That they be referred to the board of war, who are directed to send, to the board of treasury, a copy of such parts thereof as relate to the accounts of the army.

Sundry resolutions of the convention of the state of New-York were laid before Congress, and read.

The committee on foreign applications, to whom were referred the letters by colonel Conway, brought in a report ; Whereupon,

*Resolved*, That another brigadier-general be appointed :

The ballots being taken, Thomas Conway, knight of the order of St. Louis, was elected.

The board of treasury reported,

That they have examined the late general Montgomery's accounts with the United States ; major-general Schuyler's accounts down to the 20th of March last ; the accounts of Jonathan Trumbull, jun. esq. pay-master general of the northern department, to the 28th of January ; and the accounts of Walter Livingston, esq. deputy commissary general for the said department, as respectively reported to them, and settled and adjusted by the commissioners of accounts of the army in the said department ; and that they approve of the settlement and adjustment of the said respective accounts by the commissioners ; Whereupon,

*Resolved*, That the said report stand confirmed.

*Resolved*, That the several purchasing and issuing deputy or assistant commissaries, in the northern department, settle and adjust their accounts of receipts and expenditures, and issues, with the commissioners for settling the accounts of the army in the said department.

*Resolved*, That every warrant of a general-officer, having authority to draw on the military-chest, or pay-master, or deputy pay-master general in any department, shall specify the particular service or account for which the same shall be drawn, in order to enable the treasury-board, and commissioners of accounts, to make the proper charges, and to do justice to the public.

*Resolved*, That colonel Hartley's accounts be referred to the commissioners for examining claims against the United States, and that they be directed to report thereon specially.

A letter, of the 6th, from R. Yates, at Albany, enclosing a copy of a letter from James Deane, was read :



*Ordered*, That it be referred to the committee on Indian affairs.

The committee on the treasury reported,

That there is due, to Robert Stephens, for four rifles delivered to capt. H. Stevenson, for the use of his rifle company, 55.30 dollars, to be charged to the said captain Stevenson :

To Walter Shee, for superintending the printing and rolling-press, for the loan-office certificates, 26 days, at 2 dollars a day, 52 dollars :

To Leonard Klem, for the half ferriage of troops over Conestoga creek, 36.35 dollars, to be paid to John Mucer :

That there should be advanced to Mr. Clajon, secretary to major-general Gates, 200 dollars on account of his pay.

*Ordered*, That the said sums be paid.

An appeal from the judgment of the court of admiralty, for the state of Rhode-Island and Providence Plantations, on the libels of Joseph Stanton, &c. and Samuel Champlin, &c. against the schooner Two-Brothers, being lodged with the secretary, was referred to the committee on appeals.

Congress resumed the consideration of the articles of confederation, as reported by the committee of the whole ; and, after debate,

*Resolved*, That the further consideration thereof be postponed.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That general Washington be requested to enquire into the case of major Campbell, of the 8th Virginia regiment, and if his commission, which was ordered him by the resolution of Congress, of the 21st January last, was out of course, that the general be empowered to settle all disputes between the said major Campbell, and all the other officers belonging to the state of Virginia, concerning rank ; and that the said commission, if the general shall so determine, be rendered null and void.

*Ordered*, That the secret committee deliver to the quarter-master general, the linen in their hands fit for tents.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, May 14, 1777.

*Ordered*, That a copy of the complaint lodged with the marine committee, against commodore Hopkins, be delivered to Mr. Ellery, for the said commodore Hopkins.

A letter of the 9th, from general Washington, with sundry papers enclosed, was read :

*Ordered*, That the same be referred to the committee on foreign applications.

*Ordered*, That a warrant for 10,000 dollars be drawn on the treasurer at Baltimore, in favor of Robert Cummings, for supplying provisions to the troops passing through that town ; he to be accountable.

*Resolved*, That Mr. R. Cummings be directed to make up his accounts, and lay the same before the commissioners for claims at Philadelphia ; and that he be directed to make no further purchases without the special orders of Congress.

The board of war reported, that they have enquired into the situation of captain Craig's troop, and find there are no deserters from the enemy, or prisoners of war therein :

That the Virginia soldiers, who served in the continental army, last winter, under general Washington, should be allowed clothes, agreeable to the general's direction, in consideration of the hardships they endured, and the services they have rendered.

*Resolved*, That the said report be agreed to.



The committee on the treasury, upon a representation to them made by the managers of the lottery of the United States, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That treasury bank-notes, for prizes which shall be drawn in the first class of the United States' lottery, of the denominations required by the scheme, be immediately prepared by the board of treasury; that the said notes be in the form following:

	NUMBER.	DOLLARS.	NUMBER.
DOLLARS.	The United States of America acknowledge themselves to be		
United States' Lottery.	indebted to	in	dollars, being for a prize of
	that value, drawn in the United States' lottery, which they promise to pay to the said		
			or bearer, on the
	day of	with interest annually, at the rate of four per	
	cent. agreeable to a resolution of the United States, passed the		
	18th day of November, 1776.		

That such notes be signed by Michael Hillegas, esq. treasurer of the United States, or by his son, Samuel Hillegas, and countersigned by any one of the managers of the lottery, and numbered, from number one, progressively:

That the cash prizes in the three first classes of the lottery, shall be paid by the managers, and the treasury bank-notes for the other prizes issued by them:

That the pre-emption of such tickets, in the next succeeding class, as shall not be renewed within the time limited in the scheme of the lottery, shall be granted to the fortunate adventurers in the preceding class, according to the order of their application:

That the managers of the lottery of the United States be directed, in cases of doubt or difficulty, to apply for advice to the board of treasury, who are empowered and directed to give the said managers such advice and directions respecting the drawing and conducting the business of the said lottery, as they shall judge prudent and expedient.

A petition, signed Seth Sweetser, town-clerk, in behalf of the town of Charlestown, in Massachusetts-Bay, was read:

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. Carroll, Mr. Heyward, and Mr. J. B. Smith.

The committee on the commissary's department brought in a report, which was read:

*Ordered*, To lie on the table for consideration.

Congress took into consideration the report on the quarter-master's department; Whereupon,

*Resolved*, That the quarter-master general of the army be authorized and empowered to appoint one commissary of forage for the army, and one for each of the military departments thereof, with such and so many forage-masters as he shall judge necessary.

2. That the duty of the commissary of forage shall be to purchase such quantities of forage, and store the same in such magazines as the quarter-master general, or deputy quarter-master general, of any department, shall, from time to time, order and direct. That the commissaries shall conform themselves in making purchases to such rules and regulations as shall be prescribed to them by the quarter-master general, or deputy quarter-master general of the department to which they shall severally belong.

3. That all forage purchased by any commissary of forage, and delivered into any magazine, shall be received by the forage-master thereunto appointed, who shall give his receipt for the same, specifying the sort, quantity, and quality, as a voucher for the commissary of forage, to be by him produced to the quarter-master general or deputy quarter-master general of the department in support of his account.

4. The commissaries of forage shall make a monthly return to the quarter-master general or deputy quarter-master general of the department, of all forage by them purchased, specifying to what forage-master, and into which magazine the same was delivered, that the forage-master may stand charged therewith.

5. No forage-master, to whose care any magazine of forage shall be committed, shall issue any part thereof unless by a written order of the commander in chief, the commander in chief of the department, the commanding officer of the post where such magazine may be established, the quarter-master general or deputy quarter-master general of the department, or one of his assistants, the wagon-master general, or any other wagon-master; such orders to specify for whose use the forage is intended; and every such order to be filed by the forage-master, and a regular entry thereof made in a book to be by him kept for that purpose, as a voucher for the expenditure of the forage by him received.

6. The forage-masters shall make monthly returns to the quarter-master general and deputy quarter-master general, of the departments they belong to, of the state of their magazines, specifying the quantity left in store at the first and every succeeding return, the quantity received since the last return, the expenditure since such return, and what remains on hand.

7. And whereas it frequently happens that there is a necessity to detain hired carriages, the owners whereof were to find their own forage, far beyond the time for which the owners thereof agreed to serve, and who, if their own forage is expended, must have recourse to the public magazines, it is resolved, that such persons so detained and become destitute of forage, shall, upon the written order of any of the officers mentioned in the fifth resolution, be supplied out of the public magazines; and the wagon-master, before he signs the discharge for any such hired carriage, shall direct the forage-master to endorse thereon the quantity, sort and quality of the forage furnished such person, that the same may be deducted out of the wages due to the owner of such hired carriage; all which deductions shall, by the quarter-master general or deputy quarter-master general of the department, be carried to the credit of the forage-masters, accounts, who shall have furnished the forage.

8. If the commissary of forage in any department should be ordered to procure such large quantities of forage as to render it impossible for him to do it without assistance, the quarter-master general or deputy-quarter-master general of the department shall direct one or more of his assistants to aid the commissary of forage, pointing out the districts in which they are severally to purchase, that one may not enhance the price by bidding above another.

9. Whereas, notwithstanding the orders that have been from time to time issued by general officers of our army, to prevent the loss and embezzlement of intrenching tools, and other military stores, great waste hath been made; to prevent which, for the future, it is resolved, that every commissary of stores, store-keeper, or person to whose charge and care any military stores of what kind soever shall be committed, shall pass his receipt, and stand charged to be accountable for the same, and shall not issue any of them without taking a receipt for the same, the receiver promising to be accountable: and if any person having received any such stores, shall lose or embezzle the same, the commissary, store-keeper, or person by whom they were delivered, shall charge him with the value thereof, and transmit a copy of such charge to the pay-master general or deputy pay-master general of the department, who is to charge the same to the pay-master of the corps such person may belong to, unless it shall appear that such loss happened without any blameable negligence or omission: and if any person in the continental service shall sell or otherwise dispose of any stores committed to his care, without a written order for so doing, issued by the commander in chief or

the commander in chief of the department, or by a general-officer commanding at a separate post, he shall be punished for theft.

10. The wagon-master general of the army, or wagon-master in any of the departments thereof, shall receive from the quarter-master general or deputy quarter-master general of any department, all such horses, cattle, and carriages as the service may require; and neither the wagon-master general, nor any other wagon-master shall, on any account, presume to purchase any horses, cattle, or carriages for the public service, without the express order of the commander in chief, the commander in chief of the department, the quarter-master general or deputy quarter-master general of a department; nor shall the wagon-master general, or any other wagon-master, hire any horses, cattle or carriages, unless by the authority aforesaid, or by that of an assistant deputy quarter-master general.

11. The quarter-master general shall appoint such assistants and make such arrangements for conducting the business of his department, as to him and to the commander in chief, and commander of the departments, shall seem most conducive to the public weal; and a copy of such arrangement, specifying the names of the assistants, commissaries of forage, wagon-masters, forage-masters, and clerk of the several departments, shall be transmitted to the board of war: and every assistant of the quarter-master general of the army, and every assistant of the deputy quarter-master general of the several departments thereof, shall make monthly returns of every article, of what kinds soever, that may be in or at any of the forts, encampments, magazines, or places in the district, committed to his care, to the deputy quarter-master general of the department, noting what is good, what is repairable, and what is unfit for farther service, in separate columns; from which returns, the deputy quarter-master general shall make one general return, in which shall be specified the total of all the articles in every district within his department; one copy whereof shall be monthly transmitted to the board of war, one to the commander in chief of the department, and one to the quarter-master general; from which returns, the quarter-master general shall make out a general return, specifying what is in each department and every district thereof; one copy whereof shall be monthly transmitted to the board of war, one to the commander in chief, and one to the commander of each department.

12. Every assistant quarter-master, commissary of forage, wagon-master general, forage-master, and every other person employed in the quarter-master general's branch, who shall neglect or refuse to make such monthly returns, shall be dismissed the service by the quarter-master general or the deputy quarter-master general of the department to which such delinquent belongs.

13. And in order that all deputy quarter-masters general and assistants may make their returns in such a manner as to avoid that great confusion which has heretofore arisen from a want of method, the quarter-master general is to furnish his deputies with a form, copies whereof they are to deliver to the assistants and to every person in the quarter-master general's branch who may be called upon for a return.

14. The quarter-master general and the deputy quarter-masters general in the several departments, shall have full power and be authorized, with the consent of the commander in chief, or commander of the department, to dismiss any person by them employed, who shall refuse or neglect any duty enjoined by the foregoing resolutions, or any other duty he may be charged with, and to appoint others in the stead of such as may be dismissed.

15. The general and commander in chief of our armies, and the commander of any department thereof, shall be allowed as much forage for their horses and those of their suit as the service may require.

16. A major-general and a brigadier-general, not having the command of

a separate department, shall each be allowed forage for six horses for themselves, their aids-de-camp, or brigade-majors and servants.

17. The commander in chief, and the commander in any separate department, shall be authorized to allow such quantities of forage, and for and during such times as they shall think proper, to the quarter-master general and his deputies, to the muster-master general and his deputies, the chief engineer and his assistants, the commissary-general and his deputies, the director-general of the hospital, his subs and surgeons-general, to the adjutant-general and his deputies, to the colonels, lieutenant-colonels, majors, adjutants, quarter-masters, and surgeons of regiments, and to provosts-martial, or to such and so many of the before mentioned officers and their deputies as the service shall necessarily require; Provided, always, that if any of the officers abovementioned, their deputies or assistants, should be allowed forage in consequence of any general orders hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case, no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

18. A deputy quarter-master general shall be appointed to each department, and one to each grand division of the army; the rank of the former to be that of a colonel, of the latter, that of a lieutenant-colonel.

19. The quarter-master general, with the approbation of the commander in chief, or commander in any separate department, shall appoint a competent number of deputy quarter-masters general, a wagon-master general, and so many wagon-masters, as the service, from time to time, requires, and make a return to the board of war, of the names of the persons so appointed.

20. *Resolved*, That major-general Mifflin be allowed, for his service as quarter-master general, 166 dollars per month, in addition to his pay as major-general.

That the pay of a deputy quarter-master general of a grand division of the army, be 75 dollars per month:

That the pay of an assistant deputy quarter-master general be 40 dollars per month, and that he have the rank of captain:

That the pay of a wagon-master general be 75 dollars per month:

That the pay of a deputy wagon-master general be 50 dollars a month:

That the pay of a barrack-master general be 75 dollars a month:

That the pay of a wagon-master or conductor of wagons be 40 dollars a month:

That the pay of a forage-master be 40 dollars a month.

*Ordered*, That 200,000 dollars be advanced to the quarter-master general for the public service, for which he is to be accountable; and that the same be paid by an order in his favor on the commissioner of the loan-office for the state of Pennsylvania, for 150,000 dollars, and by another order in his favor on the commissioner of the loan-office in the state of Connecticut, for 50,000 dollars.

The committee of the treasury reported,

That there is due to colonel Lewis Dubois, for the pay of his battalion of New-York forces, the sum of 2757 9 dollars:

To captain Zephaniah Lott, for pay and mileage of a company of Bucks county militia, in colonel Kirkbride's regiment, 271 30 dollars:

To Jacob Hiltzheimer, for sundry expresses he paid by order of Congress, the sum of 437 36 dollars:

To William Alexander, late a captain in the 7th Pennsylvania battalion, for balance of pay and sundry other charges, 513 63 dollars:

To captain James Wilson, of the 6th Pennsylvania battalion, for the balance of his pay-roll and sundry other charges, 640 76 dollars:

To lieutenant-colonel Beyer, for the pay of himself and other field officers of colonel Levan's battalion of Berks county militia, 311 dollars :

To George M'Candles, to be paid by Gillam Taylor, for keeping continental horses at Baltimore, 99 57 dollars :

To William Tricket, for stationary supplied by him to the president of Congress and board of war, 139 18 dollars :

*Ordered*, That the said sums be paid.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *May* 15, 1777.

A letter, of the 8th, from Joseph Belton, was read, requiring an extraordinary allowance for his new invented gun.

*Ordered*, That the same be dismissed.

The board of war brought in a report ; Whereupon,

*Ordered*, That there be advanced to colonel Thomas Hartley, 17,800 dollars, to enable him to fulfil the contracts he has made under the recommendation of the board of war and the committee of Congress at Philadelphia, for arming and clothing the battalion under his command ; he to be accountable.

That 177.70 dollars be paid to Joseph Nourse, clerk of the board of war, for four month's salary, commencing 10th January last :

That the sum of 790.57 dollars be advanced to the board of war and ordnance, for public service.

A memorial from John Dorsey and others, surgeons of the ships and vessels of war in the port of Philadelphia ; also a petition from the lieutenants of the navy, and a petition from Benjamin Marshall and Thomas Search, were read :

*Ordered*, That they be referred to the marine committee.

*Ordered*, That the board of treasury prepare and report to Congress, with all possible despatch, an estimate of the public expenses for the present year, distinguishing, in such estimate, the expense of the commissary, quartermaster and barrack-master general, and the medical department ; and that they confer with the marine board and with major-general Schuyler on this subject.

*Resolved*, That a committee of three be appointed to devise ways and means for defraying the expenses of the present year ; and that they confer on this subject with the board of treasury.

The members chosen, Mr. Morris, Mr. Duer, and Mr. Witherspoon.

*Resolved*, That major-general Schuyler be directed to annex captain Burke's independent company to colonel Patton's regiment, until general Washington shall direct otherwise.

The committee on the treasury reported,

That there is due to Henry Shitz, for 35 reams of paper for continental certificates, 350 dollars :

To Henry Trict, a private in captain Hay's company of the 6th Pennsylvania regiment, for a rifle-gun, belonging to him, lost in the public service, 14.30 dollars :

To Robert Criswell, for two months and ten days pay due to Charles Crook, a private in captain William Armstrong's company of colonel Montgomery's regiment of flying-camp, which Crook was an apprentice to the said Criswell, and taken at Fort-Washington the 16th November, and died at New-York 26th January, 15.50 dollars.

*Ordered*, That the said accounts be paid.

*Ordered*, That a warrant for 35,100 dollars be drawn on Nathaniel Appleton, esq. commissioner of the loan-office, in the state of Massachusetts-Bay, in favor of the said Nathaniel Appleton ; the same being in full of two



orders, drawn by Abraham Livingston and William Turnbull, on R. Morris, in favor of the said N. Appleton, one dated at Boston, March 5, 1777, for 20,100 dollars, the other, dated at the same place, March 17, 1777, for 15,000 dollars; and that the same be charged to the account of James Mease, clothier-general.

The board of treasury having requested the direction of Congress, relative to prisoners of the flying-camp, to enable the commissioners of claims to settle several accounts,

*Resolved*, That officers and soldiers of the flying-camp, who were taken prisoners, and released by the enemy, on their parole, or who made their escape, be allowed pay to the time of their return home.

*Resolved*, That it be referred to the board of treasury to consider whether any allowance, and how much, ought to be made to the said prisoners for rations, and report thereon to Congress.

*Resolved*, That every officer, non-commissioned officer, or soldier, in the army of the United States, who shall, on any pretence whatever, presume to take out of any stable, pasture, park, or carriage, any horse or horses belonging to the public, or any belonging to private persons actually employed in the public service, without having authority so to do, by written order of the commander in chief, the commander of any department, the commanding officer of any post where such horses may be, the quarter-master general, or any of his deputies or assistants, or by the commanding officer of artillery, or any detachment thereof, who may give order for the taking of horses assigned to that corps only, such order to specify the particular service for which such horse or horses are taken, shall be, for such offence, as soon as may be, brought to a general court-martial, and, if the fact is proved to the satisfaction of the court, the commander in chief, or other general officer having given order for such court-martial to convene, shall, upon conviction, immediately dismiss from the service, such offender, if an officer, unless from some circumstances the commander in chief, or such general officer, shall see cause to pardon the offence; and if a non-commissioned officer or private, he shall order such corporeal punishment to be inflicted as he may think proper, not exceeding one hundred lashes, unless from some circumstances, the commander in chief, or such general officer, shall see cause to pardon the offence.

A petition from James Norris, with two affidavits enclosed, was read:

*Ordered*, That the same be referred to general Washington.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *May* 16, 1777.

A letter, of the 12th, and one, of the 13th, from general Washington, and one, of the 15th, from major-general Putnam, were read:

*Ordered*, That they be referred to the board of war.

Mr. Frost, a delegate from New-Hampshire, attended, and produced the credentials of his appointment, which were read as follows:

“STATE OF NEW-HAMPSHIRE, IN THE HOUSE OF REPRESENTATIVES,  
*April* 1, 1777:

“Voted and resolved, that major-general Nathaniel Palsom, and the honorable George Frost, esq. be, and hereby are, chosen and appointed delegates to represent this state in the Continental Congress, for one year next ensuing, with all such powers and authorities as the delegates heretofore appointed, by this state, have had and exercised.

Sent up for concurrence, JOHN DUDLEY, *Speaker, pro tempore.*

In council, the same day read and concurred:

Attest,

E. THOMPSON, *Secretary.*”

*Ordered*, That 10,000 dollars be advanced to col. Stephen Moylan, for the service of his regiment of light-horse; he to be accountable for the expenditure.

The committee to whom the petition from the town of Charlestown, was referred, reported, "That they have duly attended to the several facts set forth in the said petition, and while they lament the distressed condition of the petitioners, reduced, from affluence and ease, to want and penury, by the calamities of war, they regret the inability of the United States to afford the solicited relief. Though the estimation of the damages sustained may be very moderate, and the great and early sufferings of the inhabitants of Charlestown entitle them to particular attention, yet the committee apprehend, that if Congress were to pay that valuation, claims, much more extensive, and of a similar nature, will be made by other sufferers, and subject the United States to the payment of sums of money, which, in the present exigency of their affairs, cannot be spared from the support of the present just and necessary war."

*Resolved*, That Congress agree to the said report.

*Resolved*, That the committee on the commissary's department, be empowered to administer oaths or affirmations to persons examined by them.

The board of war brought in a report, which being read and debated, the determination thereon was, at the request of a state, postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

Saturday, met and adjourned to ten o'clock on Monday.

#### MONDAY, May 19, 1777.

A letter, of the 16th. from general Washington, was read :

*Ordered*, That 10,000 dollars be advanced to Joseph Trumbull, esq. commissary-general, for public service; he to be accountable.

*Ordered*, That Mr. Clymer and Mr. Wilson have leave of absence; the former for the recovery of his health, the latter to transact some private affairs.

Application being made in behalf of John Glover for leave to return home to his friends in England,

*Ordered*, That he have leave to return in a continental vessel by the way of France.

*Resolved*, That Mrs. Graydon be permitted to go to New-York to see her son, a prisoner, at such time and in such manner as general Washington shall direct.

*Resolved*, That captain Thomas Webb be considered as a prisoner of war; and that it be referred to the board of war to deal with him as they shall judge consistent with the public weal.

A petition from Nathaniel Forster, of Cape May, in behalf of himself and divers other inhabitants of the said Cape, was read; praying to be supplied with a few pieces of cannon, and a suitable quantity of ammunition, for the defence of the inhabitants of the Cape, and protection of vessels that may be there driven ashore; Whereupon,

*Ordered*, That the marine committee supply the petitioners with six pieces of cannon, and that the board of war supply them with a suitable quantity of ammunition.

A letter from governor Johnson to the marine committee, with sundry papers enclosed; also, a letter of the 9th, from William Aylett, esq. at Williamsburg; one, of the 17th, from Jonathan Hudson, at Baltimore; and one, of this day, from the board of war for the state of Pennsylvania, were read:

*Ordered*, That the letter from the board of war of Pennsylvania be referred to the board of war; that the letter from Mr. Aylett be referred to Joseph Trumbull, esq. commissary-general.

**Ordered,** That 20,000 dollars be advanced to Jonathan Hudson, esq. for public service ; he to be accountable :

And that he be informed that the arrearages due to the troops on their march from the southward, will be discharged at Philadelphia or Bristol ; and that it is not the intention of Congress that he should advance larger sums than are necessary to forward their march to head-quarters.

**Resolved,** That a committee of three be appointed to consider what honors are due to the memory of the late brigadier Wooster, who died on the 2d of May, of the wounds he received on the 27th day of April, in fighting against the enemies of American liberty :

The members chosen, Mr. Heyward, Mr. S. Adams, and Mr. Page.

The board of war brought in a report, which was taken into consideration : Whereupon,

**Resolved,** That no stoppages be made for the present from the pay of soldiers who were servants, for any moneys paid their late masters ; and that it lie over for future consideration, whether such moneys be charged to continental account, or be borne by the particular states wherein the servants were enlisted.

**Resolved,** That Mr. President M'Kinley be informed that the independent company ordered by Congress to be raised and stationed at Lewistown, and the places adjacent in the Delaware state, was intended as a relief to the militia of that state ; and that Mr. Fisher being thought a proper person to command, had the offer of being appointed the captain ; but, if he declined it for the sake of expedition, power was given him to nominate officers, measures of a similar nature having been repeatedly taken in other states especially for particular and local purposes, and no offence meant to or taken by the governments of such states :

That the commissary-general has been directed to appoint a person to supply the company with provisions ; and that orders are given to the captain to obey any directions he may receive from the government of the Delaware state : that the president be informed, that the captain of the company is directed to apply to him for the 1500 dollars, agreeable to his request ; and that he be farther informed, Congress consent that the encampment of the militia for the present be in the Delaware state, at or near the place pointed out in his letter, below Chester ; and that they be held in readiness to march out of that state, if the service shall so require it ; but that, if no such provision has been already made by law for that purpose, that it be recommended to the legislature immediately to make such provision.

**Resolved,** That the president be desired to write to the legislatures of the states of Pennsylvania and Maryland, recommending to them to make provision by law to march their militia out of their respective states, when necessary for the common defence ; and to authorize the executive powers, from time to time, to limit the continuance of the militia in service when called out, and to what distance they may be ordered to march.

**Resolved,** That Matthias Christman, an indented servant of John Bringhurst, inlisted in captain Lang's company, in colonel Hubley's regiment, be discharged by the commanding officer of the said regiment ; and that captain Lang be directed forthwith to repair with his company to head-quarters.

In consequence of an adjustment by the commissioners of claims, the auditor-general reported,

That there is due to Christopher Patterson, who served in colonel Wood's battalion of Pennsylvania forces in Canada, 13.60 dollars, which sum was due to him before the battalion was paid off at the end of their inlistment, and would then have been paid him, but, being sick in the hospital, his name was omitted in the muster-roll :

To captain William Houston, of col. Frederick Wall's battalion, flying-camp, for 27 rifles and one drum, lost at Fort-Washington, 576.42 dollars :

To lieutenant-colonel Reiss, for the pay of the two following companies of Berks county militia, viz. capt. Farry's company, 685.8 dollars, capt. Hettrick's company, 535.4 dollars, the whole amounting to 1218.12 dollars.

*Ordered*, That the said accounts be paid.

*Resolved*, That there be put into the hands of the commissioners of claims, for the purpose of paying the prisoners who were taken at Fort Washington, the sum of 1000 dollars; they to be accountable.

*Ordered*, That there be advanced to lieutenant Samuel Cobbs, of the 2d Virginia regiment, the sum of 100 dollars, and charged to the account of Alexander Spotswood, colonel of the said regiment.

Congress resumed the consideration of the report of the board of war of the 16th, and, after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, May 20, 1777.

A letter, of this day, from general Arnold, with a printed paper enclosed, signed John Brown; one from H. Williamson; one, of the 19th, from Dr. W. Shippen, director-general; one from Joseph Trumbull, commissary-general; one, of the 10th, from Alexander Martin, colonel of the 2d battalion of North-Carolina forces, at Fredericksburgh; one, of the 17th, from J. M'Kinley, president of Delaware; also, a memorial from John Cary, and a petition from Timothy Folger, were read.

The board of war laid before Congress a petition from George Lyne, major of the 12th Virginia regiment, wherein he prays that the rifles and powder-horns of captain Michael Bowyer's company of the said regiment, may be received by the commissary-general of military stores, and that the men receive for them a reasonable price, the said company having been raised by the convention of the state of Virginia, for the defence of the frontiers, and not to be drawn from thence without their consent, and each to receive, for the use of his rifle, 20s. per annum; but, being taken into continental service, and having agreed to march with the regiment, fourteen of them have brought their own arms with them, not having had time or opportunity to dispose of them before they began their march; Whereupon,

*Ordered*, That the said arms be received by the commissary-general of military stores; that they be appraised, and the price thereof paid to the men; and that the difference between the appraisement and what the said arms cost the men, be also paid them as a compensation for the use of the arms.

*Resolved*, That the quarter-master general be directed to procure a horse, and present the same, properly caparisoned, to major-general Arnold, in the name of this Congress, as a token of their approbation of his gallant conduct in the action against the enemy in their late enterprize to Danbury, in which gen. Arnold had one horse killed under him, and another wounded.

*Ordered*, That the letter from gen. Arnold, with the paper enclosed, be referred to the board of war, together with such complaints as have been lodged against gen. Arnold:

That the letter from Dr. Shippen be referred to the medical committee; and that Dr. Williamson's letter be dismissed.

*Resolved*, That the vessels now laden on account of the United States, by Mr. Commissary Aylett, with flour for the eastern states, excepting such as are to be employed in transporting provisions to the Head of Elk, may sail at such time as Mr. Aylett shall think proper.

*Ordered*, That the petition of T. Folger be referred to the marine committee; that the petition from John Cary be referred to gen. Schuyler.

A letter, of the 2d, from J. Warren, speaker of the house of representatives of the state of Massachusetts-Bay ; and one, of the 7th, from E. Hancock, deputy pay-master general in the eastern department, were read :

*Ordered*, That the former be referred to the board of war, and the latter to the board of treasury.

*Resolved*, That the sum of five millions of dollars, in bills on the credit of the United States, of the same tenor, excepting the date, and of the same denomination as the last emission, be forthwith emitted under the direction of the board of treasury.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *May 21*, 1777.

General Schuyler laid before Congress the proceedings of a court-martial, held at Philadelphia the 19th and 20th instant, on the trial of John Brown, alias John Lee, signed by Stephen Moylan, president, wherein the court determine that the prisoner is guilty of conducting five men to Brunswick ; of holding a traiterous correspondence with the enemy, in offering himself as a pilot to gen. Howe, to conduct the British army from Brunswick to Philadelphia ; and also in promising to discover to the enemy to what place the continental stores, from Philadelphia, were removed ; and the court found the prisoner guilty of a breach of the 19th article of the 13th section, and were of opinion he should suffer death ; but, from some circumstances which appeared on his trial, the court think proper to recommend him to the general as an object of mercy.

*Ordered*, That the said proceedings be referred to the board of war ; and that they enquire into the circumstances which induced the court to recommend the criminal as an object of mercy, and report to Congress.

Congress took into consideration the letter from governor Johnson, with the several papers enclosed ; and, after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

### THURSDAY, *May 22*, 1777.

A letter, of the 11th, and one of the 14th, from general Gates, at Albany ; one, of the 16th, from brigadier-general M'Dougal, at Peek's-Kill ; and one, of the 18th, from Gouverneur Morris, were read :

*Ordered*, That the last be referred to the marine committee.

*Resolved*, That blank commissions be delivered to the delegates of Maryland, for the seven battalions of Maryland forces, to be by them filled up with the names of the officers, but without affixing any date, which is to be inserted according to the orders of general Washington, who is to settle the rank of the several officers.

Congress resumed the consideration of the report of the board of war of the 16th ; Whereupon,

*Resolved*, That Albany, Ticonderoga, Fort Stanwix, and their dependencies, be henceforward considered as forming the northern department :

That major-general Schuyler be directed forthwith to proceed to the northern department, and take the command there :

That the resolution passed the 6th March, 1776, directing general Schuyler to establish his head-quarters at Albany, be repealed.

In consequence of an adjustment by the commissioners for auditing accounts, the committee on the treasury report,

That there is due to David Grier, for his pay as major and lieutenant-



colonel, and for the pay of several officers of the 6th Pennsylvania regiment, between the 1st January and 20th March, 594.60 dollars; and, for the repairs of arms and of a guard-house at York-Town, 32.41 dollars, amounting in the whole, to 627.11 dollars:

To major Richard Campbell, of the 8th Virginia regiment, for sundry expenses he paid while in Georgia and South Carolina, 135.69 dollars; for sundry rations to sundry men at different times, 20.40 dollars; and for 30 cords of wood while in barracks at Winchester, 30 dollars; the whole amounting to 186.19 dollars:

To the following gentlemen of the Philadelphia light-horse, who were ordered to New-Jersey on public service by Congress, agreeable to their respective accounts, and to be paid to Benjamin Randolph, viz.

To Benjamin Randolph, 102.42 dollars; to John Lardner, 11.47 dollars; to Thomas Peters, 21.30 dollars; to James Hunter, 21.30 dollars; to John Dunlap, 21.30 dollars, and to Thomas Leiper, 21.30 dollars; the whole amounting to 199.29 dollars:

To George Weiss, for riding express to Esopus, Boston, &c. by direction of Congress, 186.60 dollars:

To lieutenant-colonel Ramsay, for his own and captain Davidson's expenses to Virginia, by order of major-general Schuyler, to hasten the march of the North-Carolina troops, 133.78 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That 5000 dollars be advanced to John Knight, pay-master of the 7th battalion of continental troops, raised in Pennsylvania, towards the pay and subsistence of the said battalion.

Whereas, from the representation of the deputy pay-master general in Virginia, it appears, that there is in his hands a considerable sum of money which cannot be drawn out, there being no general officer in the state to draw warrants; and whereas the public service may be greatly retarded for want of the necessary supplies of money,

*Resolved*, That whenever it shall happen that there is no general officer resident in the state, the governor and council be authorized and empowered to draw warrants upon the deputy pay-master general in Virginia, for such sums of money as, in their opinion, may be requisite for the service of the United States.

The board of treasury brought in a report, which was taken into consideration; Whereupon, Congress came to the following resolutions:

Whereas, Congress, on the 20th instant, resolved, that five millions of dollars, of the same tenor, the dates excepted, and the same denominations as the last emission, shall be emitted under direction of the treasury board;

*Resolved, therefore*, That the said bills, so to be emitted, shall consist of the following denominations:

76923 bills of 30 dollars,	76923 bills of 6 dollars,	76923 bills of 3 dollars,
76923 do. of 8 do.	76924 do. of 5 do.	76923 do. of 2 do.
76923 do. of 7 do.	76923 do. of 4 do.	

*Resolved*, That the present inspectors of the press be directed and authorized to perform that service for the present emission:

That before they enter upon their office, they shall respectively take an oath, or affirmation, to be administered to them by any magistrate, "well and faithfully to execute the trust reposed in them, as inspectors of the press for the said emission, according to the best of their skill and judgment:"

That the gentlemen appointed to sign and number the last emission, be authorized to number and sign the bills now agreed to be emitted, taking, before they enter upon that office, an oath or affirmation to be administered as aforesaid, "that they will well and truly sign and number all the bills to be delivered to them by the inspectors of the press appointed as aforesaid; and

the same so signed and numbered, will deliver, or cause to be delivered, to the continental treasurer, or such person as he shall appoint to receive the same.

And, for avoiding dangers from fire, robbery, or negligence,

*Resolved*, That the inspectors of the press shall not deliver to any class more than two parcels of two hundred sheets each, to be in their hands at any time.

*Resolved*, That the plates used for the last emission shall be used in the emission now directed ; and that the bills shall be expressed in the following words :

“ THE UNITED STATES.

No.

DOLLARS.

*THIS bill entitles the bearer to receive* *Spanish milled dollars, or the value thereof in gold or silver, according to a resolution of Congress passed at Philadelphia, May 20, 1777 ;*” and have such ornaments, escutcheons, and secret-marks as the board of treasury shall direct :

That each of the said bills shall be signed by two signers, and each different denomination numbered from number one progressively.

*Resolved*, That if it shall be inconvenient to any of the inspectors or signers to attend the service required of them by these resolutions, and they shall decline the same, the treasurer shall be, and he is hereby, authorized to nominate other fit persons in their stead, and to return their names to the treasury board, and a certificate of their qualifications.

*Resolved*, That it shall be the duty of the inspectors faithfully to superintend the emission of the said bills, carefully to keep the stamps and papers which have been or shall be delivered to them for the purpose of the said emission, not to permit any impressions to be made unless in their presence ; to cause so many bills and of such denominations to be struck as are hereby directed ; to burn such of the bills as shall be imperfectly printed, and deliver the rest to the qualified signers, or to the treasurer, as shall be directed by the treasury board, or the treasurer, taking receipts from the person to whom they shall be delivered : that having completed the emission, they shall carefully return the stamp and the papers which may remain unused to the treasury-board, or to such person as shall be authorized by them to receive the same :

That it shall be the duty of the signers faithfully to number and sign the bills, and hand them over to each other ; the last signer to deliver them, when signed, to the treasurer, and to take his receipt for the same, which shall be delivered to the inspectors in exchange for the first receipts given by the respective signers, for the unsigned bills to the same amount.

*Resolved*, That when the emission shall be completed, the inspectors shall deliver to the treasurer the receipts given by him to the signers for the several parcels of signed bills which shall, from time to time, have come into his hands ; and the treasurer shall then give to the inspectors, duplicate receipts for the whole amount of the emission ; one of which shall be kept by them for their own discharge, and the other be delivered to the treasury board as a voucher to charge the treasurer.

*Resolved*, That the inspectors of the said emission shall employ such person or persons as they shall think worthy of confidence to print the said bills, who shall, before his or their entering upon the business, take an oath, to be administered before any magistrate, in the presence of the said inspectors, or one of them, “ well and faithfully to discharge the trust reposed in him or them concerning the said emission, according to the best of his or their skill and judgment ;” a certificate of which qualification shall be transmitted to the board of treasury by the said inspectors.

The committee on foreign applications brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Louis Fleuri, engaged by our commissioners in France, be sent as a captain of engineers to general Washington; and that two months' pay be advanced to him.

*Resolved*, That the farther consideration of the report be postponed.

A petition from William Lenox was read:

*Ordered*, To lie on the table.

A memorial from Joseph Trumbull, commissary-general, was read:

*Ordered*, That Mr. Wilson make inquiry, and bring in a resolution, respecting the same.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, May 23, 1777.

A letter of the 21st, from general Washington, at Morristown; one, of the 17th, from John Lawrence, judge-advocate general; one, of the 23d April, from the committee of the convention of the state of New-York; and one, of the 15th instant, from John Morin Scott, were read:

*Ordered*, That they be referred to the board of war.

*Resolved*, That Messrs. Samuel & Daniel Hughes, who have entered into a contract for casting a quantity of cannon for the United States, be allowed for such cannon as they shall deliver after this time according to the contract, 22 2-3 dollars per ton, in addition to the sum mentioned in the contract.

*Ordered*, That 10,000 dollars be advanced to Messrs. Samuel & Daniel Hughes, on account, to enable them to fulfil their contract.

*Ordered*, That 400 dollars be advanced to colonel Gundy, of the 7th battalion of Maryland forces, for the use of his battalion; he to be accountable:

That 10,000 dollars be advanced to Mr. Halliday, pay-master of colonel Richardson's battalion of the Maryland forces, for the use of the said battalion; he to be accountable:

That 350½ dollars be paid to Francis Lewis, esq. and charged to the account of Jonathan Trumbull, jun. esq. deputy pay-master general in the northern department, the same being for so much money received by the said deputy pay-master general from Mr. Klyne, by order of the said F. Lewis, esq. as appears by a certificate given by Mr. J. Trumbull 10th May, 1777.

A letter, of this day, from colonel Stephen Moylan, was read:

*Ordered*, That it be referred to the board of treasury.

The board of war reported, "That they have had a conference with major-general Arnold concerning the imputations cast upon his character, contained in an hand bill, dated Pittsfield, April 12, 1777, and subscribed John Brown, laid before Congress by the general in his letter to the president: that the general laid before the board a variety of original letters, orders, and other papers, which, together with the general's account of his conduct confirmed by the relation of Mr Carroll, one of the late commissioners in Canada, now a member of this board, have given entire satisfaction to this board concerning the general's character and conduct, so cruelly and groundlessly aspersed in the publication."

*Resolved*, That the said report stand confirmed.

The board of war brought in a farther report, which was read:

*Resolved*, That the consideration thereof be postponed.

The marine committee, to whom the letters from general M'Dougal and Gouverneur Morris, respecting the manning and fitting two galleys for the defence of the North-river, were referred, reported, "that they have taken the said letters into consideration, and are of opinion, that such galleys as may be necessary for the defence of the said river ought to be equipped.

and their operations directed by the state of New-York ; for they find this kind of defence is undertaken by all the other states where it is found necessary."

*Resolved*, That the delegates of the state of New-York be desired to inform the convention of that state, that the above report of the marine committee is accepted, and adopted, as the sense of Congress on this subject.

The marine committee, to whom the petition of Timothy Folger was referred, reported, "That the matter on which the petitioners pray to be relieved, depends on the construction of promulgated resolutions of Congress, which make part of the code of the laws of maritime war ; which laws ought to be construed and applied by the courts of admiralty and commissioners of appeals in their judicial capacity, and not by Congress :

"That the case of the Sherburne having already received a judicial determination before the said courts, where the parties had an opportunity of availing themselves of the full effects of the said laws, it is improper for Congress to come to any resolution relative thereto."

*Resolved*, That Congress concur with the committee.

The committee of foreign applications, brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That Michael Fabricy be informed that Congress do not think it expedient to accept his offered service.

Congress took into consideration the report on the commissary's department ; and, after some debate thereon,

*Resolved*, That the same be re-committed ; and that Mr. R. Morris be added to the said committee.

*Resolved*, That a committee of three be appointed to confer with a committee of the house of representatives for the state of Pennsylvania, respecting some complaints of the Indians :

The members chosen, Mr. Wilson, Mr. Duane, and Mr. Carroll.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

Saturday, met and adjourned to ten o'clock on Monday.

#### MONDAY, May 26, 1777.

A letter, of this day, from general Schuyler, was read :

*Ordered*, That it be referred to the board of war.

An account from Robert Erwin was presented to Congress :

*Ordered*, That it be referred to the board of treasury.

Congress resumed the report of the committee for foreign applications ; Whereupon,

*Resolved*, That Mons. Mottin de la Balme receive a commission of lieutenant-colonel of horse ; and that his pay commence 20th January.

*Resolved*, That Mons. Coppin de la Garde be recommended to general Washington for some subaltern employment in the division of general Sullivan, who has written in his favor to the board of war.

A memorial from Charles Pond, captain and commander of the armed sloop Schuyler, was read :

*Ordered*, That it be referred to the marine committee.

*Resolved*, That two members be added to the committee on foreign affairs :

The members chosen, Mr. Heyward, and Mr. Lovell.

*Ordered*, That 20,000 dollars be advanced to the state of Georgia, for the public service ; the said state to be accountable.

A memorial from William Goddard, and one from B. Eyre, were read.

A memorial from Joseph Simpson was read :

*Ordered*, That it be referred to the marine committee.

A letter, of the 28th April, from James Stevenson, one of the commis-

sioners for settling the accounts of the army, to John Gibbon, esq. auditor-general, was laid before Congress, and read:

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That 40,000 dollars be advanced to Joseph Trumbull, esq. commissary-general, by an order on the loan-office in Massachusetts-Bay.

The committee to whom was re-committed the report on the commissary's department, having brought in another report, Congress took the same into consideration; and, after some time spent thereon,

*Resolved*, That the further consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, May 27, 1777.

A letter, of the 24th, from general Washington, at Morristown, with a copy of a letter enclosed from generals Green, M'Dougal, Knox, Wayne, and Clinton, dated Peek's-Kill, May 17th; also, a letter of the 16th, from W. Aylett, at Williamsburg, were read.

*Resolved*, That general Washington be empowered and directed to give the command of the light-horse to one of the generals already appointed.

*Ordered*, That the letter from general Washington, with that enclosed, be referred to the board of war; and that they send a copy of so much thereof, as relates to cables, to the marine committee:

That the letter from W. Aylett be referred to the commissary-general.

The secret committee having reported to Congress the circumstances of the ship *Mary*, captain Kennedy, and her cargo:

Congress took the same into consideration; and, thereupon,

*Resolved*, That the said committee make an advance of so much money to the owners of the said ship as may be unquestionably due to them; and that the said committee, in conjunction with the delegates of Connecticut, do finally settle all matters relative to the said ship, cargo and freight, in such way, as justice and equity shall demand.

The committee on the treasury reported,

That there is due to Benjamin Randolph, for 18 boxes, for packing paper for continental bills of credit sent to Baltimore, the sum of 38.12 dollars:

To col. Robert Taylor, of the first battalion of Gloucester county militia in the state of New-Jersey, for the mileage of the field-officers, and part of three companies of the said battalion, 202.86 dollars:

To Samuel Fairlamb, upon a final settlement of his account for provisions, &c. supplied the troops at Chester and Marcus-Hook, 235.47 dollars.

*Ordered*, That the said sums be paid.

*Ordered*, That a warrant issue in favor of the board of war for 250,000 dollars; to be transmitted to the pay-master general:

That a warrant issue in favor of Ebenezer Hancock, esq. deputy pay-master general of the eastern department, on the loan-office in Massachusetts-Bay, for 250,000 dollars; another on the loan-office in the state of Connecticut, for 150,000 dollars, for the service of the United States; he to be accountable:

That a warrant issue in favor of the board of war for the state of Pennsylvania for 50,000 dollars, for the express purpose of recruiting the army of the United States; the said state to be accountable.

The committee on the treasury reported,

That there is due to John Young, saddler, for sundry saddles, carbines, pistols, &c. he furnished the troop of captain Henry Lee, jun. in colonel Bland's regiment of Virginia light-horse, 1116.45 dollars; the state of Virginia to be charged with the same sum:



That they have revised the accounts of James Warren, esq. late pay-master general, and find, that, in July last, he rendered his account to Congress, by which there appeared to be due to the United States previous to the settlement, 28,216.70-72 dollars; that, of this sum, he had then in his hands but 26,320.67-72 dollars; that the residue, by sundry affidavits transmitted to Congress, appears to have been lost in consequence of his keeping an additional office at the request of the general for the convenience of the army, 1896.3-72 dollars: that, on adjustment of his account in July last, an allowance was made for his pay from the 31st March, 1776, to the 4th May following, and for assistance in his office, 494.41 dollars; that no allowance was made for the loss of money, and the balance being struck, there appeared to be due to the United States, 27,722.36-72 dollars: that he afterwards paid to the order of general Ward, all the money that remained in the chest, being 26,320.67.72 dollars, without making any deduction for the aforesaid grant of 494.41 dollars: that in March last, Congress resolved to allow him the loss aforesaid, but that 1401.32-72 dollars being then mistaken for 1896.53-72 dollars, he was deprived of the grant aforesaid made in July last, being 494.41 dollars, which is now due to him; and therefore that a warrant should issue on the loan-office in the state of Massachusetts-Bay, in favour of James Warren, esq. late pay-master general, for 494.41 dollars.

*Ordered*, That the said account be paid, and warrant issue accordingly.

*Ordered*, That 3765½ dollars, be advanced to Jacob Moon, pay-master to the 14th battalion of Virginia forces, for the use of the said battalion; he to be accountable.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Mr. Warren, speaker of the assembly of Massachusetts-Bay, be informed, that soldiers under the circumstances mentioned in his letter of the 2d instant, be allowed mileage as militia returning home: that Congress have allowed no compensation to any persons for losses they may have sustained by the enemy, and that it is recommended to the legislatures of the different states, by the resolution of Congress of the 26th day of August, 1776, to make provision for the maintenance of disabled wounded soldiers, belonging to their respective states, and to keep a regular account of the expense attending the same, that, at a future day, the continent may be charged therewith:

That a letter be written to Mr. President M'Kinley, acquainting him that Congress are highly pleased with the spirit and alacrity of the militia of Delaware as set forth in his excellency's letter, and depend upon their cheerfully turning out when it shall be necessary for the defence of their country, of which Congress will give them the earliest notice.

*Resolved*, That the general, or commander in chief, for the time being, shall have full power of pardoning or mitigating any of the punishments ordered to be inflicted for any of the offences mentioned in the rules and articles for the better government of the troops, raised or to be raised and kept in pay by, and at the expense of, the United States of America; the 4th article, resolved in Congress the 14th day of April last, notwithstanding.

*Resolved*, That for the future, there be only one chaplain allowed in each brigade of the army, and that such chaplain be appointed by Congress:

That each brigade chaplain be allowed the same pay, rations, and forage allowed to a colonel in the said corps:

That each brigadier-general be requested to nominate and recommend to Congress a proper person for chaplain to his brigade; and that they recommend none but such as are clergymen of experience, and established public character for piety, virtue and learning.

*Resolved*, That henceforward, no servant, employed by any person or per-

sons in casting cannon or shot for the use of the United States, or any of them, shall be enlisted into the continental army.

*Resolved*, That a copy of that part of general Schuyler's letter of the 26th inst. which relates to the raising one or more troops of light-horse in the vicinity of Albany, be referred to general Washington.

*Resolved*, That captain Stevens, of the artillery, have a brevet of major; he having had that rank before his present appointment as a captain, and being a worthy, good officer, as gen. Schuyler represents.

*Resolved*, That a copy of that paragraph of general Schuyler's letter which relates to the payment of the army by abstract, be referred to the board of treasury.

*Resolved*, That if general Gates, before general Schuyler's arrival at Albany, shall have appointed a deputy adjutant-general, and deputy judge-advocate for the northern army, the said appointments be confirmed; if not, that general Schuyler be empowered to make these appointments.

*Resolved*, That the committee for Indian affairs, be directed to transmit to the commissioners of Indian affairs in the northern department, such Indian intelligence as shall be received, and copies of all treaties made with the Indians in the middle department.

*Resolved*, That general Schuyler be empowered to fill up the commissions for colonel Livingston's regiment, agreeable to the ranks the officers respectively hold in the said regiment.

*Resolved*, That the pay of the assistant deputy pay-master general in the northern army, be raised to 45 dollars per month.

The committee appointed to confer with a committee of the assembly of Pennsylvania, concerning a complaint made by the Indians, report, "That they have conferred with the said committee, by whom they were informed, that a considerable number of the inhabitants of Pennsylvania have seated themselves upon lands belonging to the Indians, without their leave or any authority from the state; and that the Indians are very uneasy on account of such intrusion:" Whereupon,

*Resolved*, That the executive power, or legislature of Pennsylvania, ought to take proper measures to quiet the minds of the said Indians, by assuring them, that they shall have full satisfaction, either by the removal of the intruders, or by allowing them an adequate consideration for the soil, at the option of the Indians.

*Ordered*, That a copy of the foregoing report and resolve be transmitted to the commissioners for Indian affairs in the northern department.

The committee on the treasury reported,

That there is due to Thomas Dewit, for board of sundry prisoners in the gaol of Baltimore, and for fire-wood, candles, &c. from the 19th of December to 3d March, 333.39 dollars:

To the rev. Robert M'Murdie, for his services as chaplain for one month and one day, in colonel Watt's battalion of the flying-camp, 34.40 dollars:

To George Graeff, to be paid to William Govet, for pay due to part of his company of colonel Cunningham's battalion of Lancaster county flying-camp, from the 10th of December to the 1st January, 114.82 dollars:

To captain Hand's company of colonel Lawrence's battalion of flying-camp, for the balance of subsistence due on his pay-rolls, 86.41 dollars:

To the reverend James Caldwell, for the services of a company of light-horse of Essex county, in the state of New-Jersey, commanded by captain Jacob Wynans, their horse-hire and expenses, 4873.54 dollars:

*Ordered*, That the said sums be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *May 28, 1777.*

**Ordered,** That a warrant be drawn on the commissioner of the loan-office for the state of Pennsylvania, in favor of James Neilson, or order, for the sum of 15,233.54 dollars; the same being in full of a bill of exchange drawn by Levinus Clarkson and John Dorsius, on Robert Morris, esq. dated at Charleston, South-Carolina, March 29th, 1777; and that the same be charged to the account of the secret committee.

**Resolved,** That 50 blank commissions be sent to the state of Georgia, for filling up vacancies in the several battalions of foot, the regiment of rangers, and artillery companies in that state kept up at the continental expense:

That blank commissions be delivered to the delegates of North-Carolina, for the officers of the continental battalions from that state, on their march to head-quarters.

**Ordered,** That 3000 dollars be advanced to the delegates of North-Carolina, for the use of that state; which is to be accountable.

A letter, of the 27th, from Dr. B. Rush, was read:

**Ordered,** That it be referred to the medical committee.

A memorial from David Forman and William Harrison, was read:

**Ordered,** That it be referred to the board of war.

Congress resumed the consideration of the report from the committee on the commissary's department; and after some time spent thereon,

**Resolved,** That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

THURSDAY, *May 29, 1777.*

A letter, of the 28th, from general Washington, at Morristown, with one enclosed from general Howe; a letter, of this day, from Joseph Trumbull, commissary-general; and one, of the 26th, from John Lawrence, judge-advocate general, were read:

**Ordered,** That the letter from general Washington, and that from John Lawrence, be referred to the board of war.

A petition from Thomas Boulten, Anthony Gilchrist, and John Jordan, prisoners, was presented to Congress, and read:

**Ordered,** That it be referred to the marine committee.

**Resolved,** That a committee of three be appointed to form an estimate of the number of teams which will be requisite to convey the necessary provisions for the use of the army, under the command of general Washington, in such quantities that the said army may be well supplied; and that the commissary-general lay before the said committee, a particular state of all the magazines of provisions already laid up, specifying the quantity and quality of the respective species of provisions in each magazine, and the places where such magazines are formed:

The members chosen, Mr. Duer, Mr. Middleton, and Mr. Burke.

**Resolved,** That a committee of three be appointed to confer with Mr. Trumbull on the subject of his letter to Congress, and general Washington's letter to him:

The members chosen, Mr. R. H. Lee, Mr. Clark, and Mr. J. B. Smith.

**Resolved,** That no persons, horses, or carriages going to the army with provisions, and returning from thence, be pressed upon any pretence whatever.

The board of war brought in a report, which was taken into consideration; Whereupon,

**Resolved,** That colonel Harrison's regiment of artillery be ordered from Virginia to head quarters, agreeably to general Washington's request.

**Ordered,** That the treasurer return to the board of treasury, certificates

of the names and qualifications of the persons who are or shall be appointed inspectors or signers of the bills of credit, directed to be emitted by a resolution of Congress, passed the 20th instant.

A petition from Abiather Rhoades, was read :

*Ordered*, That it be referred to the board of war.

Mr. P. Livingston, Mr. Duane, and Mr. Duer, three of the delegates from the state of New-York, laid before Congress credentials of a new appointment made by their state, which are as follows :

**"IN CONVENTION OF THE REPRESENTATIVES OF THE STATE OF NEW-YORK,  
Kingston, May 13, 1777.**

*Resolved*, That five delegates be elected by ballot to represent this state in Congress, until the legislature of this state shall, at their first meeting, make further provision ; that three at least of the said delegates shall steadily attend ; and that any two or more of them so attending, be a quorum, and enabled to represent and give the vote of this state in Congress. The ballots of the several counties being taken and told, it appears, that the hon. Philip Schuyler, Philip Livingston, James Duane, William Duer, and Gouverneur Morris, esqrs. were duly elected to be the said delegates. Thereupon, *Resolved*, That the gentlemen abovenamed, be the present delegates of this state in Congress ; and that the said delegates do, from time to time, give their attendance in Congress, according to the orders of the council of safety of this state. *Resolved*, That the thanks of the representatives of this state in convention, be given to Philip Livingston, James Duane, John Jay, William Floyd, Henry Wisner, Philip Schuyler, George Clinton, Lewis Morris, Francis Lewis, and Robert R. Livingston, jun. esqrs. delegates of this state, in the honorable the Continental Congress, for their long and faithful services rendered to the colony of New-York, and to the said state.

Extract from the minutes,

PIERRE VAN CORTLANDT, *Vice-President*.

Attest,

JOHN M'KESSON, *Secretary*."

The committee appointed to prepare an address to the inhabitants of the United States, reported a draught, which was read.

The committee appointed to confer with the commissary-general, reported, "That they have had a conference with him, and received from him an account of the salted provisions laid up in magazines for the supply of the army ; that the reason of the present appearance of an immediate want, has arisen from the stores, laid up at Lebanon, being removed to Carlisle, and those in this city to Lancaster, as it is said by order of Congress, without leaving a sufficient quantity for the present supply of the army ; but that effectual measures are taking to remedy any inconveniencies arising from the measure :

That Mr. Commissary proposes to repair to head-quarters without delay.

*Ordered*, That the commissary-general enquire particularly into the removal of the provisions from Lebanon, there having been only 40 barrels of beef and 40 barrels of pork ordered by Congress from that magazine to Carlisle.

*Ordered*, That 300 dollars be advanced to captain Charles Fleming, of the 7th Virginia battalion, for the use of the said battalion.

*Ordered*, That 3700 dollars be advanced to major Holt Richardson, for the use of the 15th battalion of Virginia forces, and charged to the account of the said battalion.

Congress resumed the consideration of the report on the commissary's department ; and, after debate thereon,

*Resolved*, That the further consideration thereof be postponed till tomorrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

FRIDAY, *May 30*, 1777.

A letter, of the 29th, from general Washington, at Middlebrook; one, of the same date, from Lewis Morris, aid-de-camp to general Sullivan, at Princeton; and one, of the same date, from governor Livingston, at Haddonfield, were read:

*Ordered*, That a copy of the letter from Lewis Morris be sent to the supreme executive council of the state of Pennsylvania; and that the letter from governor Livingston be referred to the board of war.

The committee on foreign applications brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That blank commissions be sent to general Washington, for the French officers lately arrived in the *Amphitrite*, to be filled up agreeable to a list to be forwarded to him by the committee; the rank of each class of the said officers to be settled by the date of their commissions from the king of France.

Congress resumed the consideration of the report on the commissary's department; and, several amendments being made,

*Resolved*, That it be re-committed in order that it may be accommodated to the amendments made.

A letter, of this day, from Thomas Wharton, esq. president of the supreme executive council of Pennsylvania, was read:

*Ordered*, That it be referred to the board of war.

*Ordered*, That a warrant be drawn on the treasurer at Baltimore, for 25,000 dollars, in favor of colonel Moylan, for the use of his regiment; he to be accountable.

*Ordered*, That colonel Moylan lay before the board of war, a particular estimate of the expense of raising and equipping one troop of light-horse; and, before the board of treasury, an account of the expenditure of the money already advanced to him.

The committee on the treasury reported,

That there is due to George Gilbert, serjeant in captain Krumrun's company of lieutenant-colonel Dean's battalion, who was taken prisoner the 17th September, and for mileage, 21.54 dollars:

To Christian Wirtz, for rations he supplied sundry battalions of militia at Lancaster, on their march to the city, in December and January last, 386.72 dollars:

To captain Daniel Dorsey, of colonel Hall's regiment of Maryland forces, for the subsistence of his company, 930.64 dollars:

That there should be advanced to Robert Jewell, in part payment of his account for the maintenance of state prisoners in the new jail of this city, 1000 dollars:

That a warrant for 133.30 dollars should be drawn on the treasurer in favor of John Ommenseller, for the payment of a light-wagon, which was pressed at Baltimore, last winter, to bring money to this place, and not returned to him, it being employed in the service of the states, and now remains with the wagon-master general in this city:

To the field officers and three others of the 2d battalion of Chester county militia, commanded by colonel Hockley, and to be paid to him for sundry rations, as per their account, 37.70 dollars:

To the five M'Donalds, who are prisoners at Reading, for their and their servants' allowance, from 12th March to 4th June, 156 dollars.

*Ordered*, That the said accounts and sums be paid.

The board of war brought in a report, which was read:



*Ordered*, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

**SATURDAY, May 31, 1777.**

William Ellery and Henry Marchant, esqrs. delegates from the state of Rhode-Island and Providence Plantations, attended and produced the credentials of their appointment, which were read, and are as follows :

“ By the honorable Nicholas Cook, esq. governor, captain-general, commander in chief of and over the state of Rhode-Island and  
[L. s.] Providence-Plantations : To William Ellery, esq. greeting:—  
Whereas, by the free vote of the freemen of the said state on the first Wednesday of May instant, you, the said William Ellery, was elected a delegate to represent the said state for one year in the general Congress of delegates from the thirteen United States of America, now sitting in Philadelphia, or wherever the same may sit : I do, therefore, in the name of the governor and company of the said state, hereby authorize, empower, and commissionate you, the said William Ellery, in conjunction with the other delegates that are or may be elected delegates of the said state, or separately and alone, in case of the sickness or the necessary absence of the other delegates of said state, to represent the said state in the said general Congress ; and, in behalf thereof, to join with the delegates from the other states, or the major part of them, in all such measures as shall be thought best for promoting the defence and welfare of the said United States, agreeable to the instructions given, or that may be given, you by the general assembly.

Given under my hand, and the seal of the said state, at Providence, this 7th day of May, in the year of our Lord one thousand seven hundred and seventy-seven.

NICHOLAS COOK.

By his honor's command,

HENRY WARD, *Secretary.*”

The commission to Henry Marchant was of the same tenor and date.

Congress resumed the consideration of the report on the commissary's department ; and, after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

**MONDAY, June 2, 1777.**

Nicholas Vandyke, esq. a delegate from the state of Delaware, attended, and took his seat.

Two letters, of the 31st May, from general Washington, at Middlebrook, with sundry papers enclosed ; one, of the same date, from general Sullivan, at Princeton, to general Arnold ; one, of the 24th of the same month, from general Gates, at Albany, with sundry papers enclosed ; one, of the 17th of May, from general Heath, at Boston, with the proceedings of a court-martial on Peter Pickman Fry, a soldier ; one, of the 15th, from Mons. du Coudray ; and one, of the same date, from Jeremiah Powel, president of the council of Massachusetts-Bay, with sundry papers enclosed ; also, a memorial from Archibald Allen and Ronald M'Donald, at Reading, were read :

*Ordered*, That the letter from J. Powel be referred to the marine committee ; and that the other letters, with the papers enclosed, be referred to the board of war.

*Ordered*, That extracts from the intelligence received, so far as it respects the enemy's designs against Philadelphia, be transmitted by the delegates of Pennsylvania and Delaware, to the executive power of their respective states :

That the commanding officer at Philadelphia be directed to send a muster-master to muster the militia at Bristol, and make a return to Congress.

Congress resumed the consideration of the report on the commissary's department; and, after some time spent thereon, and sundry amendments made,

*Resolved*, That the said report be re-committed.

The committee on the treasury reported,

That there is due to Margaret Holmes, for 42 meals supplied the militia, 418 dollars:

To William Shaw, for his account for thirty powder barrels, cooperage, &c. 6466 dollars.

*Ordered*, That the said accounts be paid.

Mr. Burke, the delegate attending for North-Carolina, laid before Congress credentials of the appointment of delegates from that state, which were read, as follows:

“ STATE OF NORTH-CAROLINA.

“ To Thomas Burke, John Penn, and Cornelius Harnett, esqs. greeting: Whereas the general assembly hath elected you delegates to attend the Congress of the United States: these are, therefore, to commissionate, authorize, and empower you, the said Thomas Burke, John Penn, and Cornelius Harnett, to attend the said Congress of the United States of America, in behalf of this state, until such time as the general assembly shall direct otherwise; and you are hereby invested with such powers as may make any act done by you, or any of you, or consent given in the said Congress, in behalf of this state, obligatory on every inhabitant thereof. Witness, Richard Caswell, esq. governor, captain-general, and commander in chief of the said state, under his hand and seal at arms, at Newbern, the 4th day of May, Anno Domini, 1777, and in the first year of the independence of this state.

RICHARD CASWELL.

By his excellency's command, JS. GLASGOW, *Secretary*.”

A memorial from Jacob Fauntz was read:

*Ordered*, That it be referred to the board of treasury.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That a letter be written to the council of Massachusetts-Bay, and to the governor and council of Virginia, acquainting them, that Congress have received information, that general Lee is treated by general Howe with kindness, generosity and tenderness, and desiring the former to treat colonel Campbell, and the latter to treat the five Hessian officers, with kindness, generosity, and tenderness, consistent with the confinement and safe-custody of their persons.

*Ordered*, That twenty copies of the volume of journals be delivered to the delegates of each state, for the use of their respective states; and that the remainder of the 700, which Congress have agreed to take, be lodged in the secretary's office, for the use of members.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

TUESDAY, June 3, 1777.

A letter, of the 6th February last, from Benjamin Franklin and Silas Deane, esqrs. and one, of the 27th November last, from Silas Deane, esq. by Monsieur du Coudray, were read:

*Ordered*, That they be referred to the committee on foreign applications.

A memorial from Joseph Trumbull, esq. was read, setting forth, “ That he has paid many of the officers who served in Canada the last campaign, their extra-rations and back allowances while in Canada, at the rate of one shil.

ling, lawful money ; and from, and after their return to Ticonderoga, to the 17th September, 1776, at the rate of seven pence half-penny, like money, per ration ; and thought himself justified therein by the direction of Messrs. Clymer and Stockton, the committee for regulating the affairs in the northern department, when at Ticonderoga, in October last : that, to his great surprise, the commissioners of accounts, in that department, refused to allow the same in his accounts."

Congress, taking the same into consideration, and it appearing, from a certificate of major-general St. Clair, dated the 15th May, that the commissioners, when at Ticonderoga in October last, settled the extra-rations due to the officers in the following manner, viz. from the time they left Ticonderoga to go into Canada, until they returned to Crown-Point, at one shilling, lawful money, per ration ; from that time, to the 17th September following, at seven pence half-penny, like money ; and afterwards at 8-90ths of a dollar per ration ; and that the commissaries were ordered and did pay accordingly ; thereupon,

*Resolved*, That the commissioners for settling accounts in the northern department, be directed to allow and pass the commissary's accounts, agreeable to the said settlement.

*Resolved*, That a committee of three be appointed to devise ways and means for supplying the United States with salt :

The members chosen, Mr. J. B. Smith, Mr. Marchant and Mr. Frost.

Congress resumed the consideration of the last article in the report from the board of war of the 23d May, respecting the rank of officers ; and, a new motion on that subject being made,

*Resolved*, That the report, with the motion, be re-committed.

*Resolved*, That a committee of three be appointed to devise ways and means of supplying the army with shoes, hats and shirts :

The members chosen, Mr. Sherman, Mr. Clark and Mr. J. B. Smith.

*Resolved*, That the board of war be directed to furnish the supreme executive council of the state of Pennsylvania, with such arms as may be necessary for the use of such of their militia as are now called into service, and which cannot be otherwise supplied ; and that it be strongly recommended to the said council, to make use of the most effectual means, that the arms, so furnished, may be returned to the commissary-general of military stores, or to one of his deputies.

*Resolved*, That a committee of three be appointed to confer with the board of war of the state of Pennsylvania, and that they be empowered to employ some skilful persons to view the works and defences erected at, and near Billingsport, and report their opinion, whether these works ought to be completed or demolished :

The members chosen, Mr. Duer, Mr. J. Adams and Mr. Middleton.

The delegates of Pennsylvania laid before Congress a report of the committee of the whole house of assembly of Pennsylvania, with a resolution of the house thereon, which were read :

*Ordered*, That the same be taken into consideration on Thursday next.

The committee to whom was re-committed the report on the commissary's department, brought in their report, which was taken into consideration ; and, after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, June 4, 1777.

A letter, of the 2d, and one, of the 3d, from general Sullivan, at Princetyn, were read ; also, a letter of the 14th April, from J. Rutledge, president

of the council of South-Carolina, advising, "That colonel William Kennon, in consequence of a settlement of his account against the continent, so far as it has been liquidated by him, the said J. Rutledge, in pursuance of the resolve of Congress, has drawn ten bills of exchange, all of the date of this letter, from No. 27, to No. 36, both inclusive, for 500 dollars each, on the continental treasury, in favor of David Flowers." At the same time was presented for payment, one of the said bills, being the first of the set, No. 27; Whereupon,

*Ordered*, That the said bill be paid.

The committee to whom was referred the memorial of the state of North-Carolina, of the 23d December last, together with the papers accompanying the same, brought in a report, which was taken into consideration; Whereupon.

*Resolved*, That it be recommended to the state of Massachusetts-Bay, to order diligent enquiry to be made concerning the matter complained of in the said memorial; and, unless the master and owners of the privateer, mentioned in the said memorial, can shew good and sufficient cause to the contrary, to order full restitution to be made, and the offenders to be punished for the violation of the rights of our fellow-citizens, and of the laws of nations; and to report to Congress the proceedings which shall be had in the premises.

A letter, of this day, from general Mifflin, was read, wherein he informs, that, "since the last order of Congress for him to remain in Philadelphia, he has received a letter from general Washington, wherein the general expresses an anxious desire to have the heads of the several departments in the field with him;" and, therefore, desires the further orders of Congress; concluding, "If Congress have no interesting business for him in Philadelphia, he would be glad to have an opportunity of joining the army, agreeable to the general's letter."

*Resolved*, That general Mifflin have leave to repair, immediately, to headquarters.

*Ordered*, That the letters from gen. Sullivan be referred to the board of war.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to Adam Eichelberger, for victualling sundry troops and ferriage, 17.63 dollars:

To Frederick Curtis, for victualling sundry troops, 3.42 dollars:

To Thomas Smith, for sundry necessities supplied the sick troops of the 5th and 6th Virginia regiments, at Wilmington, 181.89 dollars:

*Ordered*, That the said sums be paid.

Agreeable to the order of the day, Congress resolved itself into a committee of the whole, to take into consideration the state of foreign affairs; and, after some time spent thereon, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the matter referred to them, but, not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress, to-morrow, resolve itself into a committee of the whole, to consider farther the state of foreign affairs.

Whereas, general Howe has, by offers of reward, endeavoured to induce the soldiers of the United States to desert and go over to him;

*Resolved*, That general Washington be empowered to offer such rewards as he shall judge proper, to deserters from the enemy, whether horse or foot, encouraging them, by suitable offers, to bring with them their arms and horses.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

THURSDAY, *June 5, 1777.*

A letter, of the 2d from gen. Washington, at Middlebrook, enclosing a letter of the 30th May, from gen. Gates, at Albany, and one, of the 27th of the same month, from gen. Poor, at Ticonderoga, were read :

*Ordered*, That the same be referred to the board of war.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the clause in general Gates's letter, relative to money, be referred to the board of treasury :

That the state of the military chest in the northern department, as transmitted by general Gates, in his letter of the 24th of last month, be referred to the board of treasury :

That Abraham Rhoades have a pass to go to governor Trumbull, by the way of Easton and Sussex court-house; and that it be left to governor Trumbull's discretion, whether, or not, the said Abraham Rhoades shall be permitted to go to Long-Island, as he requests in his petition to Congress.

*Resolved*, That the farther consideration of the report be postponed.

*Ordered*, That R. H. Lee have leave of absence, his health and private affairs requiring his return to Virginia.

*Resolved*, That Mr. Sherman, Mr. Marchant, and Mr. Vandyke, be added to the marine committee.

A letter, of the 4th, from brigadier-general Conway, to the Pennsylvania board of war; also, a memorial from J. Mease, were read :

*Ordered*, That they be referred to the board of war.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

FRIDAY, *June 6, 1777.*

A letter, of the 3d, and one, of the 5th, from general Washington, at Middlebrook, were read :

*Ordered*, That they be referred to the board of war.

Congress resumed the consideration of the report of the board of war of the 29th May last; Whereupon,

*Resolved*, That Congress approve general Washington's conduct as to the cartel for the exchange of prisoners, and of the reasoning contained in his letter of the 9th May, making no doubt of the facts, upon which his arguments are founded, being duly ascertained; and, that the general be informed it is the opinion of Congress, that he strictly adhere to the principles contained in said letter.

*Resolved*, That the deputy judge-advocate in the northern army, and the deputy judge-advocate of the division of the army now at Peek's-Kill, be allowed the rank, pay, and rations of captains.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That general Washington be requested to cause a return to be made of all regimental chaplains already appointed in the army, and transmit the same to Congress :

That a commission be granted to Elias Boudinot, esq. as commissary-general of prisoners; the said commission to be dated the 15th day of May last, and Mr. Boudinot to be allowed the pay and rations of a colonel :

That Elias Boudinot, commissary-general of prisoners, be empowered to appoint two deputy commissaries of prisoners; the said deputies to be allowed the pay and rations of majors.

A petition from James Mosen, a soldier, was read :

*Ordered*, That it be referred to the board of war.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,



That there is due to Robert Patton, for his attendance on Congress, as door-keeper, from 20th February, to the 4th June, being 104 days, 138-60 dollars :

To captain Kern's company of colonel Kachlein's battalion of the flying-camp, for sundry guns, blankets, pouches, and powder-horns, lost on Long-Island and at Fort-Washington, being the property of the soldiers, 613.87 dollars :

To Christian Wirtz, for his pay as commissary, and for his rations for one month and one day, 27.18 dollars, he having served the militia on their march, with provisions at Lancaster :

To the field-officers of the 4th battalion of Berks county militia, commanded by lieutenant-colonel Conrad Shaeffer, for the balance of pay, 725.15 dollars, to be paid to lieutenant-colonel C. Shaeffer :

To captain John Patton, of col. Potter's battalion of Lancaster county militia, for the mileage of his company, and for a difference of pay to those who were advanced, from serjeants and privates, to officers, serjeants and corporals, 148.56 dollars :

*Ordered*, That the said accounts be paid.

A petition from Nicholas George Moeballe, a captain in the service of the seven United States of Holland, was read, praying Congress to grant him a commission of lieutenant-colonel in the service of the United States ; or, if they do not think fit to grant that request, then to grant him a certificate, setting forth, that he did apply and offer his service, and that it was not owing to any fault or bad conduct in him, that Congress did not think it expedient to employ him.

*Ordered*, That such a certificate be granted to him.

A motion being made respecting prisoners,

*Ordered*, That it be referred to the board of war, who are directed to take under consideration the whole matter of the exchange and treatment of prisoners, and report thereon with all convenient despatch.

*Resolved*, That the secret committee and the marine committee be, and they are hereby, directed to lay before Congress, an account of their proceedings, and of the public money by them expended :

That the secret committee, without delay, order the agents, by them employed in the different states, to make up, and lay their accounts before them ; and that the said agents lodge with the said committee, vouchers for the expenditure of the public money entrusted to their care ; distinguishing exactly, what commodities have been shipped, with the bills of lading, and what remains on hand, with an account of the places where the same are stored ; and that the said committee lay the same before Congress :

That the marine committee, without delay, order the agents, by them employed, in the different states, to make up and lay their accounts before them, and that the said committee lay the same before Congress.

*Resolved*, That any five members of the marine committee be empowered to form a board and proceed to business.

*Ordered*, That the committee on departments proceed on the business committed to them, and report as soon as possible.

*Ordered*, That 8000 dollars be advanced to Littlebury Mason, pay-master of the 15th battalion of Virginia forces, commanded by col. D. Mason, for the use of the said battalion :

That a warrant for 200,000 dollars be drawn on John Gibson, esq. in favor of the board of war, to be by them transmitted to the deputy pay-master general, for the use of the northern army.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to Henry Wynkoop, esq. for board and nursing lieutenant Simon Wilmot, of the 16th regiment of Queen's light-dragoons, who was

wounded and taken prisoner at Princeton, 3d January last, for nine weeks and two days, at two dollars a week, 20.51 dollars :

*Ordered*, That the said account be paid.

The board of treasury reported,

That a warrant should be drawn on Michael Hillegas, esq. continental treasurer, for 500,000 dollars, to be paid to John Gibson, esq. auditor-general, for which he is to account :

That Mr. Govett, the assistant auditor, hath exhibited his account to them against the United States, in which he charges his salary from 29th of July to 14th December, 1776, four months and seventeen days, at £ 200 per annum, amounting to 202.56 dollars, of which he hath received 200 dollars ; and that there was due to him on the 14th of December, 2.56 dollars ; that he prays a farther allowance from that time ; and the board are of opinion, he should receive three dollars a day, which, to the 29th of April last, being 135 days, at three dollars a day, amounts to 405 dollars ; the whole amounting to 407.56 dollars.

*Ordered*, That the said warrant be drawn, and that the above balance of 407.56 dollars, be paid to Mr. Govett.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, June 7, 1777.

*Ordered*, That 400 dollars be paid to captain John Hunter, and charged to the account of W. Palfrey esq. pay-master general, the same being in full of a bill in his favor, drawn by the said W. Palfrey, dated at Morristown, 21st May, 1777.

A letter, of the 13th May, from W. Aylett, at Smithfield ; one, of this day, from Archibald M'Donald ; one, of the 2d, from Henry Fisher and W. Perry, with a muster-roll of the independent company raised at Lewis, and a petition from George Hawk, keeper of a ferry on Delaware, opposite to Easton, were read :

*Ordered*, That the letter from A. M'Donald be referred to the board of treasury ; that the letter from H. Fisher and W. Perry, with the muster-roll, be referred to the board of war ; and that the petition from George Hawk be referred to the quarter-master general, who is directed to settle with the petitioner, or report particularly on his petition.

*Ordered*, That 1160 dollars be advanced to captain James Lees, for the use of his company of artillery ; he to be accountable :

That 14,160 dollars be advanced to colonel John Hawkins Stone, of the 1st battalion of Maryland forces, for the use of his battalion ; he to be accountable :

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the clothier-general furnish each non-commissioned officer and soldier enlisted in the army of the United States, to serve three years, or during the war, with the articles of clothing enumerated by a resolution of Congress, of the 8th October last, or other clothing of equal value, notwithstanding the same cost more than 20 dollars.

Whereas, complaint has been made, that many of the regimental pay-masters absent themselves from the army, by which the public service greatly suffers,

*Resolved*, That the commander in chief, and the commanders in the separate departments, be directed to take the most effectual means for compelling all regimental pay-masters to attend punctually to the duties of their office, and that such as are negligent, be punished and displaced ; and that they be respectively empowered to appoint others of ability, diligence and integrity, in the room of such as are displaced.

**Ordered,** That 1000 dollars be advanced to captain John Steel, one of the four captains named by general Armstrong, by authority of general Washington, for the use of his company; he to be accountable.

A petition from Jacob Green and others, was read, praying a new hearing on the appeal brought against the judgment in the libel Job Pierce, against the brig Phoenix:

**Ordered,** That it be referred to the committee on appeals.

A petition from Charles Harrison and Peter Campbell, was read:

**Ordered,** That it be referred to the board of war.

Congress resumed the consideration of the report on the commissary's department; and, sundry amendments being made,

**Resolved,** That it be re-committed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, June 9, 1777.

A letter, of the 5th, from general Washington, at Middlebrook, enclosing a letter of the same date from brigadier-general Knox; also, one of the 8th, from the same, and one, of the 7th, from Joseph Reed, esq. wherein he informs, that "the situation of his private affairs, which are much altered since his acquiescence in general Washington's recommendation, the want of time to qualify himself for that line of service, which he intended and has proposed to him, and a diffidence of discharging it with approbation, oblige him to decline the appointment, which the Congress have been pleased to make of him as a brigadier-general, for which honor done him, he begs leave to express his grateful acknowledgments." Also a letter, of the 7th, from governor Livingston, with a return of the battalion raised in New-Jersey, for the service of the United States, were read:

**Ordered,** That the letters from gen. Washington, with the papers enclosed, and the letter from governor Livingston, be referred to the board of war.

**Resolved,** That Mr. Duer be added to the committee of intelligence.

An application from Richard Derby, jun. esq. chairman of the committee of correspondence, inspection and safety, at Salem, in Massachusetts-Bay, in behalf of Peter Pickman Frye, was read:

**Ordered,** That it be referred to the board of war.

A letter, of the 6th, from general Washington to R. Morris, esq. enclosing one to Appolos Morris, was read; Whereupon,

**Resolved,** That general Arnold be directed to put major Appolos Morris under immediate arrest and confinement, until the farther order of Congress.

**Ordered,** That the letter, of the 6th, from general Washington to R. Morris, esq. with the letter enclosed, be referred to the board of war.

A petition from Francis Armstrong, was read, praying an order to the clerks of Messrs. Richard Dallam, Mease & Caldwell, or any others, who may have the books ascertaining the sums paid for the battalion commanded by colonel Potter, to give him, the petitioner, a duplicate of the said account from the beginning:

**Ordered,** That the prayer of the petition be granted.

A letter, of the 6th, from governor Johnson, enclosing a petition from George Handy, and others, and a protest from William Pool, was read:

**Ordered,** That it be referred to the marine committee.

A petition from Hughey Con, was read:

**Ordered,** That it be referred to the board of treasury.

**Ordered,** That a warrant for 50,000 dollars be drawn on the commissioners of the loan-office for the state of Pennsylvania, in favor of Matthew Erwin, deputy commissary general, and charged to the account of Joseph Crumbull, commissary-general, who is to be accountable.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to major Nicola, two months' pay of six companies for the guard of this city, being for May and June, 7488.60 dollars.

To John Byrn, late a soldier in captain Morgan's company of riflemen, for a rifle belonging to him which was lost at the attack on Quebec, 16.60 dollars:

To James Leard, for half ferriage of seventy-two men over the Susquehanna, 2.36 dollars:

To major Vaughan, captain Hazard, and others, their expenses as officers of the guard to military stores, from Sinnepuxent to Philadelphia, 228.50 dollars:

To Monsieur Lotbinier, a Canadian chaplain, for his pay and rations, from 10th March to 10th June, being three months, at 41.30 dollars a month, 124 dollars:

To the commissioners of claims, for a pair of Venetian blinds, for the use of their office, 32 dollars:

To Syannah M'Nut, for sundry meals supplied the militia on their march to camp, 3.45 dollars:

To Seth Duncan, for do. 19.39 dollars:

To Joseph Hutchinson, for do. 2.36 dollars.

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, June 10, 1777.

A letter, of the 6th, from Joseph Trumbull, commissary-general; and one, of this day, from major-general Arnold, were read:

*Resolved*, That general Arnold be, and he is hereby directed to repair immediately to Trenton, and there conduct himself agreeably to the orders of the commander in chief.

*Resolved*, That it be earnestly recommended to the president and council of the state of Delaware, to give orders to the militia of that state, to hold themselves in readiness to march at a moment's warning, and to take measures to call forth into actual service 1500 militia as soon as possible; and that they order the said militia to rendezvous at or near Wilmington, or Chester.

A petition from William Fields and Matthias Sappenfield, and another from Thomas Rutherford, and sixteen others, prisoners from North-Carolina, were read:

*Ordered*, That they be referred to the board of war.

A motion being made that the commissary-general, and all other persons entrusted with public money, give bond and security for the faithful performance of their duty, and well and truly to account for the money that shall come into their hands respectively,

*Resolved*, That it be referred to a committee of three:

The members chosen, Mr. Gerry, Mr. Burke and Mr. Marchant.

The committee to whom was re-committed the report on the commissary's department, brought in the same amended, which being read, was agreed to as follows:

*Resolved*, I. That for supplying the army of the United States with provisions, one commissary-general and four deputy commissaries-general of purchases, and one commissary-general and three deputy commissaries-general of issues, be appointed by Congress.

II. That each of the said commissaries and deputy commissaries be authorized to appoint for himself one clerk.

III. That the deputy commissaries-general have authority to appoint as many assistant commissaries to act under them as may from time to time be necessary, and the same to displace at pleasure, making returns thereof to the commissaries-general respectively, who shall have full power to limit their numbers, to displace such as they shall think disqualified for the trust, and direct their respective deputy commissaries-general to appoint others in their stead: that special care be taken by the officers empowered as aforesaid, to appoint none but persons of probity, capacity, vigilance, and attachment to the United States, and the cause they are engaged in; and to make returns to the board of war, the commander in chief, and the commander of the respective departments, of the assistant-commissaries by them respectively appointed, their several places of abode, the time of their appointment and dismissal, and the post, place, magazine or district to which they are severally assigned; and that the deputy commissaries-general of purchases and issues in the same district make similar returns to each other.

IV. That the commissary-general of purchases shall superintend the deputy commissaries-general of purchases, and assign to each a separate district, who shall constantly reside therein, and not make any purchases beyond the limits thereof; and every purchaser employed therein shall also have a certain district assigned him by the respective deputy commissary-general, in which he shall reside, and beyond the limits of which he shall not be permitted to make any purchases, unless by special order of his superior, directing the quantity and quality of provisions so to be purchased beyond his limits, and informing such purchaser of the prices given by the stationed purchaser in the district to which he may be sent.

V. That the commissary-general of purchases shall direct the deputy commissaries-general in their respective districts, to inform themselves and assistants, as nearly as may be, of the prices for which the articles, which they are to procure, may be purchased, and that neither they nor any of the said assistants employed under their direction, exceed such prices; and if any deputy commissary-general of purchases shall neglect his duty, or be guilty of any fraud or misconduct in his office, the commissary-general may suspend him, and shall immediately certify the same to Congress, with the reasons for such suspension, and appoint a person to act in his stead, with all the powers of a deputy commissary-general, until the sense of Congress shall be known thereon.

VI. That the present commissary-general, by himself or his deputies, deliver unto the commissary-general of issues, or his deputies or assistants, all and every kind of provisions and other public stores in the commissary-general's department, that now are, or at the time when such delivery shall be made, may be, in any of the posts, places, magazines and store-houses belonging to the United States, taking duplicate receipts for the same, one set whereof, together with a general return of all stores so delivered, to be sent to the board of treasury, that the commissary-general of issues may be charged therewith.

VII. That it shall be the duty of the commissary-general of purchases, with the assistance of the deputy commissaries-general and assistant commissaries of purchases, to purchase all provisions and other necessaries allowed, or which may hereafter be allowed by Congress to the troops of the United States, and deliver the same to the commissary-general of issues, or his deputies or assistants, in such quantities, and at such places or magazines as the commander in chief, or the commander in the respective department shall direct.

VIII. That the commissary-general of issues shall direct the respective deputy commissaries-general, to station one of their assistants at every fort, post, place or magazine where provisions are or may be stored.



IX. That the commissary-general of purchases shall furnish each of the deputy commissaries-general and assistants, with a book, in which is to be entered every purchase by them respectively made: and that all the accounts may be kept in the same form, he shall cause the pages of such book to be divided into ten columns, in the first of which shall be entered the year, month and day in which any purchase is made; in the second, the names of the persons from whom; in the third, in what place; in the fourth, the species and quantity of provisions, and if live-stock, the number, colour and natural marks; in the fifth, the artificial marks and number; in the sixth, the prices; in the seventh, the amount of the purchase money; in the eighth, ninth and tenth, the weight of the meat, hides and tallow of the live-stock as hereafter directed: and the commissary-general of issues shall furnish each of the issuing-deputy commissaries-general and assistants with a similar book, in which shall be entered all provisions received by them from the purchasers respectively, the first column to contain the time of receiving such provisions; the second, the name of the purchaser; and in each of the other columns, the entries before directed.

X. That each purchaser shall enter, in different pages of the said book, each species of provisions by him purchased, and, at the end of every month, shall foot and transfer the said entries to a general account, specifying the quantity, amount, and average cost of each article, and shall also, in the course of the next succeeding month, send a copy of such account to the respective deputy commissaries general, who shall thereupon make out a monthly return of all the provisions purchased in his district, specifying the quantity, amount, and average cost of each species, as before directed, together with a copy of each purchaser's accounts, to the board of war and commissary-general of purchases, within the time limited as aforesaid.

XI. That the purchasing commissaries shall deliver live stock and other provisions required by the commissary, or several deputy commissaries-general of issues, at such place as they shall respectively direct.

XII. That the deputy commissary-general of purchases in each district shall specially appoint one or more assistants to purchase live stock, who shall cause to be branded on the horns of all cattle by them purchased, the number and initial letters of their names respectively; and shall also have power to employ drovers, and a person at each place, to which they may respectively be directed to send cattle, to receive, kill, and deliver the same, as hereafter directed.

XIII. That each drove of live stock, or quantity of provisions or other stores, that may be sent to any post, place, or magazine, by any purchaser, shall be accompanied with duplicate invoices, taken from the entries directed to be made in the books of the purchasing commissaries, one of which, together with the live stock or other stores, shall be delivered at such post, place, or magazine, to the person appointed to receive live stock, or to the issuing commissaries respectively, who, on the other hand, shall give his receipt for the articles received, to be transmitted to the purchaser by the person delivering the said articles; provided, that, if any live stock, under the care of the drover, shall be wanted at any other post than that to which they were ordered, the purchaser's deputy at such post may detain them, taking a copy of the invoice, as far as it respects the live stock detained, and giving his receipt for the same on the back of the said invoice, specifying their marks and numbers, and the person to whom the residue may be delivered, shall give his receipt therefor on the same invoice, and detain the other for his use as aforesaid.

XIV. That each drove of live stock shall be killed under the direction of the purchaser's deputy receiving the same, who shall weigh and deliver the meat to the commissary of issues of the respective posts, together with dupli-

cates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the several creatures; in the ninth, the weight of the hide; in the tenth, the weight of the tallow; and at the foot of each invoice, the number of heads and tongues; and the commissary of issues shall endorse his receipt on one of the invoices, and deliver it to the deputy aforesaid, who shall return it to the purchaser as his voucher, and to enable him to fill up the eighth, ninth, and tenth columns of the entries in his book; and the other shall be kept by the issuing commissary for his own use.

XV. That the commissary-general of purchases shall contract, by himself, or the respective deputy commissaries-general, with one or more persons in each district, to make or supply a sufficient quantity of vinegar for the use of the army.

XVI. That the deputy commissaries-general of purchases take special care to procure full supplies of vegetables, as being essentially necessary to the health of the army; and they are respectively empowered and directed, with the advice of the commander in chief, or commander of the respective district, to hire land therein, and raise such quantities of vegetables as are wanted, and cannot be otherwise procured for the army; and for this purpose, to employ suitable persons to conduct, and laborers to assist in carrying on the said business.

XVII. That the commissary-general of purchases shall, from time to time, apply to Congress for all the money wanted in his department, and shall make the necessary advances to the respective deputy commissaries-general, calling them to account as often as he shall judge it necessary; and the deputy commissaries general shall, in like manner, make advances of the money received of the said commissary-general to their respective assistants, and call them to account as aforesaid.

XVIII. That the commissary and deputy commissaries-general of purchases and issues, shall respectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchases and issues shall, once in six months, be settled by the respective commissaries-general with the proper commissioners of accounts; each account of purchases to be vouched by the several bills and receipts of the venders, specifying the cost, and the receipts of the issuing commissaries, shewing the delivery of all articles therein charged; and each account of issues by the victualling returns hereafter directed to be made, and receipts for all provisions charged therein as rations, or sent by the respective issuing commissary to any other: and the commissaries-general shall produce the monthly returns of the several purchasing and issuing commissaries, to be used by the commissioners in adjusting their respective accounts.

XIX. That the commissaries-general of purchases and issues, and their respective deputies, for neglect of duty, or other offences in their respective offices, shall be subject to military arrest and trial, by order of the commander in chief, or any general officer commanding a division of the army, post, or department, where such neglect of duty or offence may happen; and the respective assistants of the deputy commissaries-general of purchases and issues, shall, for the same causes, be liable to military arrest as commissioned officers in the army, by any general officer, or any officer commanding at a detached post to which such assistants may be assigned.

XX. That the commissary-general of issues shall superintend the respective deputy commissaries-general, and assign to each a separate district; and have full powers to suspend them and appoint others for a time, as already appointed for the commissary-general of purchases.

XXI. That every issuing-commissary shall enter, in distinct pages of the book mentioned in the ninth article, each species of provisions or other stores received by him, including the provisions delivered by other issuing-com-

missaries, or the present commissary-general, and the same entries shall be made with respect to these, as therein are directed, when provisions are received from the purchasers; excepting that the prices and cost of articles, delivered by the said commissaries, may be omitted.

XXII. That every issuing-commissary shall be furnished with a book of issues, in which he shall open a separate account with each regiment, corps, or detachment to which he may issue, or commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns, in the first of which shall be entered the time of delivery; in the second, the name of the officer upon whose return provisions are issued, or by whom sent to any other issuing-commissary; in the third, the number of rations, and, in other separate columns, the several quantities of each species of provisions delivered as rations, or sent to the commissaries as aforesaid. And, on the last day of every month, he shall foot the said accounts, and also all the accounts of provisions received and entered in the book mentioned in the preceding article.

XXIII. That every issuing-commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place or magazine, agreeably to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer, or person employed to deliver the said provisions or stores; and the issuing-commissary at such post, place, or magazine, or at any intermediate post, who may receive such provisions or stores, or any part thereof, shall certify the quantity on the back of the said receipt, which the officer, or person who delivered the provisions, shall return to the commissary that sent them as his voucher: And, in cases of deficiency, the commissary who sent the provisions shall credit the commissary to whom they were directed for the quantity lost, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall also transmit a copy of the said account to the pay-master or deputy pay-master general in the district, who shall send to the issuing-commissary a receipt for such account, to be produced by him on settlement, and shall also deduct the amount thereof from the pay of the delinquent, and credit the United States therefor: provided, that if any provisions or stores shall be lost by unavoidable accident, and the same is proved by sworn evidences before the commanding officer of the post from or to which such provisions or stores were sent, his certificate, with the proof annexed, shall authorize the commissary to cancel such charge.

XXIV. That no provisions be issued to any person but by the written order of the commander in chief, the commander of any department, the quarter-master general, any of his deputies or assistants, the commanding officer of a post, describing the person in whose favour such order shall be given; or upon a return signed by the commanding officer of a corps, or detachment thereof, whether commissioned or non-commissioned, or by the regimental-quarter master.

XXV. That when any troops are ordered to quit a post, and the issuing-commissary remains at such post, the respective commanding officers of the several regiments or corps shall call on the issuing-commissary for a certificate, specifying the day to which they were victualled, inclusively; and, in case detachments of different regiments or corps are made, the commanding officer of such detachments shall procure a certificate from the commissary, in which shall be inserted the days to which the different troops, of which his detachment may be composed, were victualled, and the next, and every subsequent provision return for such detachment shall distinguish the corps out of which it is formed, and the number of each corps, to the end that the commissary may charge each corps with the provision issued to it;

and if any commissary, at any other post, shall victual any corps or detachment comprehended in the foregoing description before such certificates are produced, he shall charge the officer commanding the same, with twenty days' provision for the whole number of men under his care, and make return thereof to the pay-master general or deputy pay-master general in the district, who shall make the proper stoppages, and also to the board of treasury, who shall charge him therefor. Provided, That if such certificates be procured and delivered within thirty days after the first drawing of such provisions without certificate, the commissary general shall cancel the charge, keeping the certificate as a voucher for so doing: Provided also, That notwithstanding such certificate may be produced, if it shall appear that the officer commanding any corps or detachment, has drawn more provision than the corps or detachment was entitled to, he shall stand charged the double quantity so over-drawn.

XXVI. That every issuing commissary shall take receipts for the number of rations, and for so much of every species of provisions as he may issue.

XXVII. That every issuing commissary, on the last drawing day preceding the last drawing day of every month, shall victual the troops up to the last day of the month inclusive; and if provisions should be ordered for troops going on detachments, for such time as would run beyond that day, two returns shall be made out, one to the last day of the month inclusive, and one from the first day of the month inclusive to the time ordered.

XXVIII. That every issuing commissary shall number the provision returns, and endorse the same with the date thereof, and the number of men victualled, and put the returns of each detachment or corps on separate files, each to contain the returns of a month for such corps or detachment.

XXIX. That, wherever any capital magazine shall be established, the commander in chief, or commanding officer of the department, shall order store-houses to be built, and a barrack for fifty men, and the same to be enclosed with a stockade.

XXX. That, whenever any of the provisions or stores in any of the magazines become so damaged as to threaten a total loss of all such damaged provisions, the commissary of issues, to whose care such provisions may be committed, shall make return thereof immediately to the deputy commissary-general of issues, who is to apply to the commander in chief, or some general officer, to order a court of enquiry, who shall thereupon grant one, and such provisions as may by the court be condemned, shall be sold at public vendue, under the direction of the deputy commissary-general of issues, public notice being given of such sale, by advertisements at least ten days before the day of sale, unless the court should determine that the same ought to be sold at an earlier day.

XXXI. That every assistant commissary of issues shall, within six days after the last day of every month, make a return to the deputy commissary-general of the district, of all provisions and stores in his magazine or store, at the last preceding return; of all provisions by him received in the preceding month; from whom and whence; of what he has issued, specifying the regiment and corps, and the number of rations, and quantity of each species of provisions drawn by the same; and of what remains in store.

XXXII. That each deputy commissary-general of issues shall, from the monthly returns of the assistant commissaries, make out a general return for the district, specifying what remained in the magazines or stores at the last return; what has been received since; the number of rations and quantity of provisions issued, and what remains in store, distinguishing the several posts, places, magazines, and regiments or corps as aforesaid; one to be sent to the board of war, one to the commander in chief, one to the commander of the department, one to the commissary-general of purchases, and one to the commissary-general of issues.

XXXIII. That the commissary-general of purchases and commissary-general of issues, each in his own department, make a general monthly return to the board of war, the commander in chief, and the commanding officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts, and returns, to be used by them respectively, agreeable to these resolves.

XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the issuing commissaries to the commissary-general of musters, or by him to the adjutant-general, or by the adjutant-general to the board of war, as directed in the regulations of the muster-master general's department, passed by Congress the 4th day of April last.

XXXV. That the commissaries-general and the respective officers under them, apply to the quarter-master general, or his respective officers, for wagons, teams, and horses, wanted in the several districts; and if, at any time, it shall be necessary to hire the same, they are not to exceed the rates stipulated by Congress, or the quarter-master general aforesaid.

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the commissary-general of purchases, quarter-master, director, or clothier general, or the commissary-general of military stores, shall previously apply to them, or the principal officers under them respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. And it is recommended to the several states to give their purchasers respectively similar directions.

XXXVII. That the commissary-general of purchases from time to time provide sufficient quantities of salt, and deliver it to the commissary-general of issues, or the respective officers under him, who are directed to issue to the troops only such quantities, and in such manner, as the commander in chief, or commander of the respective district, shall direct. And the commissary-general of issues shall direct the respective deputy commissaries-general to employ a suitable number of coopers and packers, who shall salt and pack provisions at the several magazines and stores, and take the proper precautions with respect to all provisions therein deposited.

XXXVIII. And whereas, great confusion hath arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to, but not drawn by, them respectively,

*Resolved*, That the parts of a ration be estimated as follows, viz: for the daily allowance of beef, pork, or fish, 4-90ths of a dollar; of bread or flour, 2-90ths; of peas or beans, 1-90th; of milk, 1-90th; of beer, 1-90th; of rice, one-half of 1-90th; and of soap, one-half of 1-90th; making, in the whole, 10-90ths of a dollar for each ration: and that, for the future, the quarter-master, or other person drawing provision for any regiment, corps, or detachment, shall, on the last day of every month, make out an abstract of the number of retained rations due to each officer respectively, and also the number of each part of ration due to such regiment, corps, or detachment, and deliver the same to the respective issuing commissary, who shall compare it with his books, and finding it right, shall certify thereon that the several charges in the abstract are just, and that such a sum as he shall find to be due, shall be paid to the respective pay-master of the regiment, corps, or detachment, who shall annex the said abstract to the pay-roll, that the pay-master, or deputy pay-master general of the district, may pay, and he is hereby required to pay, such ration-abstract to the regimental pay-master, who is directed to pay the respective officers and soldiers, and take their receipts. And when any regiment, corps, or detachment, or issuing commissary is ordered to leave a post before the end of the month, the ration-abstract shall be made up to the



day of his or their leaving the post, and certified by the commissary as aforesaid.

**XXXIX.** That the commissary of issues at every post where cattle are killed for the use of the army, appoint a careful person to take charge of the hides and tallow, to see that the former are properly dried, and that the latter is properly rendered, and that both are disposed of as the commissary-general of issues, by order of Congress, shall direct.

**XL.** That the commissary and deputy commissaries-general of purchases in each department, and every purchaser employed under them, shall take the oath of fidelity to the United States, and the following oath or affirmation, viz.

I ———, do solemnly and sincerely swear (or affirm) in the presence of Almighty God, that I will not collude with any person or persons whatever to enhance the price of provisions, or any article of commerce which I shall at any time hereafter be directed to purchase for the use of the United States; and that I will endeavor, by every honest means in my power, to procure the articles which I may be directed to purchase at the most reasonable rates; and that I will not charge the public with any advance on any purchases by me to be made, and that I will, in all things, conduct myself as becometh a faithful servant of the public.

**XLI.** That the commissary and deputy commissary-general of issues in each department, and every issuing commissary employed under them, shall take the said oath of fidelity, and the following oath or affirmation, viz.

I do swear (or affirm) that I will faithfully receive, take the care of, and issue the provisions and other stores committed to my trust, and keep regular accounts and make regular returns, agreeable to the resolutions of Congress, and oftener if thereunto required by any superior officer having right to order returns; and that I will, in all things, honestly demean myself as a faithful servant of the public.

*Ordered,* That the committee consider and report to-morrow, what compensation ought to be made to the several officers in the commissary's department, for their services:

That to-morrow be assigned for appointing the officers in the commissary's department.

The committee on the treasury reported,

That a warrant should issue on Joseph Borden, esq. commissioner of the loan-office, in the state of New-Jersey, in favor of John Gibson, esq. auditor-general, for \$9,100 dollars, the said J. Gibson to be accountable.

*Ordered,* That a warrant be drawn accordingly.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to captain Garland, and other officers, for their expenses, being a second division as officers of a guard with military stores from Sinepuxent to Philadelphia, 120.51 dollars:

To lieutenant colonel Eleazer Oswald, for his pay from the 1st September, 1775, to the 1st January, 1777; as also for 2 months' extra pay, for clothing allowed in Canada, 18 months, at 40 dollars a month, 720 dollars, and for 1825 rations, at 10-90ths of a dollar, 202.70 dollars, the whole amounting to 922.70 dollars.

*Ordered,* That the said accounts be paid.

*Ordered,* That a warrant for 5000 dollars be drawn on John Gibson, esq. in favor of William Henderson, pay-master of colonel Moylan's regiment of light-horse, for the use of the said regiment; the pay-master to be accountable.

The board of war brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That general Washington be directed to inform general Howe, that this Congress most sincerely lament the necessity to which they are driven by the cruel policy of their enemies, of entering into any resolutions which have any appearance of severity towards those prisoners of war who have fallen or may fall into our hands; but, that there are no other means in our power of inducing our enemies to respect the rights of humanity; that with this view only, it is their determined resolution to carry into execution the law of retaliation; that if any persons belonging to, or employed in, the service of the United States, or any of them who now are, or hereafter may be, prisoners to lord or general Howe, or any other commander of his Britannic majesty's forces by sea or land, shall be sent to the realm of Great-Britain, or any part of the dominions of the said king, to be there confined in common gaols of Great-Britain, or any other place or places of confinement in pursuance of any act or acts of the British parliament, or any other pretence whatever; it is the resolution of this Congress, to treat the prisoners now in our power, and such as hereafter may fall into our hands, in a manner as nearly similar as our circumstances will admit.

*Ordered*, That an extract of governor Caswell's letter of the 20th April, be transmitted to general Washington, with a recommendation, provided the general has not already appointed commanding officers to complete the sixteen additional battalions, that colonel Abraham Sheppard, of North-Carolina, be appointed to the command of one of the said additional battalions.

*Resolved*, That general Washington be informed, that that clause of the resolution of the 30th May last, "the rank of each class of the said officers to be settled by the date of their commissions from the king of France," intended only their relative rank among one another; but that their commissions in the American army, be dated by general Washington, on the day when they shall be filled.

The committee appointed to confer with the Pennsylvania board of war, brought in a report:

*Ordered*, That it be taken into consideration to-morrow.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, June 11, 1777.

Congress took into consideration the report of the committee appointed to confer with the Pennsylvania board of war, &c. Whereupon,

*Resolved*, That governor Livingston be requested forthwith to order out 500 of the militia of the state of New-Jersey, to assist in completing the works now erecting at Billingsport, for the defence of the river Delaware; it being of the utmost consequence that the fortifications at that place be completed without delay.

*Resolved*, That the report of the committee appointed by the Pennsylvania board of war, and the committee of Congress, to view the works erected for the defence of the river Delaware, together with the resolution for calling out 500 of the New-Jersey militia, be communicated to the president and supreme executive council of the state of Pennsylvania; and that it be earnestly recommended to them, in conjunction with general Mifflin and Monsieur du Coudray, to carry into execution the most effectual measures for defending the river Delaware.

*Resolved*, That the continental navy-board, or board of assistants to the marine committee, be empowered to direct the commanders of the several continental ships, gallies, and other armed vessels, now in the Delaware, to co-operate with the naval force of Pennsylvania in defending the several passes thereof, should the enemy make any attempt thereon.

*Resolved*, That the commanders of the said ships, gallies, and armed vessels, obey the orders and instructions of the said board; and that it be re-

commended to them to exert their utmost abilities in opposing the enemy's ships that may attempt passing up the said river.

*Ordered*, That 20,000 dollars be advanced to Benjamin Flower, commissary-general of military stores, for the public service; he to be accountable:

That 5000 dollars be advanced to David Hall, colonel of the Delaware battalion, for the use thereof; he to be accountable.

*Resolved*, That the commissary-general of purchases shall keep his office in the place where Congress shall sit, and that he, or his clerk, constantly attend therein.

*Ordered*, That 1000 dollars be advanced to John Wilkins, one of the four captains nominated by general Armstrong, in pursuance of authority to him given by general Washington, for the use of his company; he to be accountable.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to Hugh Con, to be paid to John Benezet, esq. for boarding and nursing two sick soldiers, 22 dollars:

To Jacob Miller, for 118 meals supplied the troops on their march, 15.66 dollars.

*Ordered*, That the said accounts be paid.

The committee on the treasury, and the committee appointed to devise ways and means for defraying the expense of the current year, brought in a report.

The committee on the treasury brought in another report.

The committee on the ways and means of procuring salt, brought in a report.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, June 12, 1777.

*Ordered*, That 1000 dollars be advanced to lieutenant-colonel John Nevil, for the use of the 12th Virginia regiment, he to be accountable.

Mr. Sergeant laid before Congress a letter from Gunning Bedford, dated City-Tavern, Wednesday, half after 8 o'clock, containing a challenge for words spoken by Mr. Sergeant in the course of debate in Congress, together with his answer, and Mr. Bedford's reply, which were read:

Sundry resolutions being moved and debated, the decision thereof, at the request of a state, was postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, June 13, 1777.

A letter, of this day, from general Arnold, and one, of the same date, from colonel G. Morgan, with sundry papers enclosed, were read:

*Ordered*, That the letter from col. Morgan, with the papers enclosed, be referred to the committee on Indian affairs.

*Ordered*, That a warrant for 100,000 dollars be drawn on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, in favor of general Mifflin, quarter-master general; for which he is to be accountable.

Congress resumed the consideration of the letters laid before them by the delegate of New-Jersey: Whereupon,

*Resolved*, That Congress have, and always had, authority to protect their members from insult for any thing by them said or done in Congress, in the exercise of their duty, which is a privilege essential to the freedom of debate, and to the faithful discharge of the great trust reposed in them by their constituents.

*Resolved*, That Mr. Gunning Bedford be served with a copy of the said letters, and that he be summoned to attend Congress to-morrow morning to answer for his conduct.

*Ordered*, That 2600 dollars be advanced to general Arnold, on account.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to Abraham Berlin, chairman of the committee of Northampton county, for the amount of his account of sundry supplies to the continental troops and militia, on their way to, and from head-quarters, in New-Jersey, 518.25 dollars; for the amount of his account of sundries supplied the Indians, by order of the commissioners, at the conference held at Easton, 1410.48 dollars; and for an allowance made him for his trouble, expense, and advancing the above sum, 96.39 dollars, amounting in the whole, to 2025.32 dollars:

To John Arnell, late a soldier, for his blanket, his property, lost in the engagement at Trenton, and to be paid to captain M'Dowell, 6.60 dollars:

*Ordered*, That the said accounts be paid.

Congress took into consideration the report of the committee on the ways and means of procuring salt: Whereupon,

*Resolved*, That it be recommended to the several states to offer such liberal encouragement to persons importing salt for the use of the said states, as they shall judge will be effectual:

That it be recommended to each state, to employ one or more vessels for the importation of salt into their respective states, for their own more immediate benefit, and at the public charge of the said state:

That the agents for the United States in Europe and the West-Indies, be directed and enabled by the secret committee, to effect the importation of salt into these states, on account of the United States, by all vessels bound to America, subject to such regulations and restrictions as the secret committee may direct:

That it be an instruction to all masters of vessels taking on board cargoes for America, on account of the United States, if possible, to ballast the vessels with salt, unless otherwise specially ordered:

That it be recommended to the several states to erect and encourage, in the most liberal and effectual manner, proper works for the making of salt;

A deposition of Samson Lutes, and one of Thomas Jordan, were read:

*Ordered*, That they be referred to the committee on Indian affairs.

Mr. Paca laid before Congress a letter from colonel Hall, of the Maryland forces, dated Rocky-Hill, June 11, which was read:

*Ordered*, That it be referred to the board of war.

The committee on the treasury reported,

That, by the terms of the treaty held at Johnstown, the 18th January, 1776, between major-general Schuyler, in behalf of the United States, and sir John Johnson, and the Scotch inhabitants of Tryon county, Archibald M'Donald, Allan M'Donald, Alexander M'Donald, Reynold M'Donald and Allan M'Donald, jun. who surrendered themselves prisoners of war, were encouraged to expect to be supported by the United States, in the rank of gentlemen, during their confinement; and the ordinary allowance to prisoners, of two dollars a week, being incompetent for that purpose, that there be allowed to the said prisoners respectively, after the rate of 3.69 dollars per week, for their subsistence from the time of their confinement; and the farther sum of 78½ dollars for necessary expenses incurred, by them, in their attendance upon Congress, by leave of general Schuyler, to solicit a farther allowance, the difference of subsistence and expenses both amounting to 678.60 dollars:

That they have taken into consideration the memorial of Robert Irwin, wagon-master, referred to them by Congress, and are of opinion, that his

account for pay, clerks' wages, &c. &c. from 12th July, 1775, to the 19th May, 1777, is just and reasonable, and that a warrant should issue in his favor for the sum of 1350 dollars, the amount of his account.

*Resolved*, That Congress agree to the said report.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

SATURDAY, *June 14, 1777.*

*Ordered*, That a warrant for 5000 dollars be drawn on the commissioner of the loan-office in the state of Rhode-Island, in favor of Mr. John Murray, assignee of David Flowers, and charged to the account of colonel William Kennon, the same being in full of three bills, No. 5, 7, 12, drawn by him, agreeable to letters of advice from John Rutledge, esq. president of South-Carolina, dated Charleston, 14th April, 1777 :

That another warrant for 14,000 dollars be drawn on the said commissioner, in favor of the said J. Murray, and charged to the account of Joseph Trumbull, esq. commissary-general, the same being in full of his draught in favor of the said J. Murray, dated Middlebrook, 9th June, 1777, agreeable to his letter of advice of the said date.

A letter, of the 20th May, from Amos Throop, at Providence, was read :

*Ordered*, That it be referred to the marine committee.

*Ordered*, That 300 dollars be advanced to captain John Steel, 450 dollars to captain Matthew Irwin, and 500 dollars to captain Samuel Kearsley, for the use of their respective independent companies; they respectively to be accountable.

*Resolved*, That the marine committee be empowered to give such directions respecting the continental ships of war in the river Delaware, as they think proper, in case the enemy succeed in their attempts on the said river.

*Resolved*, That the flag of the thirteen United States be thirteen stripes, alternate red and white: that the union be thirteen stars, white in a blue field, representing a new constellation.

The council of Massachusetts-Bay having represented by letter to the president of Congress, that captain John Roach, some time since appointed to command the continental ship of war the *Ranger*, is a person of doubtful character, and ought not to be entrusted with such a command; therefore,

*Resolved*, That captain Roach be suspended, until the navy-board for the eastern department shall have enquired fully into his character, and report thereon to the marine committee.

*Resolved*, That captain John Paul Jones be appointed to command the said ship *Ranger*.

*Resolved*, That William Whipple, esq. member of Congress, and of the marine committee; John Langdon, esq. continental agent; and the said captain John Paul Jones, be authorized to appoint the lieutenant, and other commissioned and warrant officers necessary for the said ship; and that blank commissions and warrants be sent them, to be filled up with the names of the persons they appoint, returns whereof to be made to the navy-board in the eastern department :

Whereas, the state of New-York, long the seat of the present unprovoked war, and a principal object of the vengeance of our implacable enemies, hath been, among other calamities, for a considerable time, deprived of her sea-ports, and of all the advantages and supplies of European and West-India commodities, which other states derive from commerce; and it being represented that the inhabitants of the said state are more immediately distressed for want of salt, which, though a necessary article of life, they have no prospect of procuring without the interposition of Congress; and it being the duty of Congress, as well as the respective United States, to alleviate, as far as may be in their power, the distresses brought down upon any branch of



the confederacy, on account of its vigorous opposition to the common enemy, and its virtuous struggles in the great and glorious cause in which all are equally engaged; and the inhabitants of the state of New-York having persevered, amidst the several trials and losses, with vigor and fortitude in the defence of the liberties of America;

*Resolved*, therefore, That it be recommended to the executive powers or legislatures of the respective states, to encourage and facilitate the supplying the inhabitants of New-York, while they shall continue to be deprived of the benefit of importation, with salt and other European and West-India commodities of which they may stand in need.

*Resolved*, That the secret committee be directed to sell to the council of safety, or delegates of the state of New-York, a cargo of about 2000 bushels of salt, imported by Congress, and now in store at Plymouth, in the Massachusetts-Bay: and that the commissary-general be directed, if it can be done without prejudice to the public interest, to exchange for the said cargo of salt, an equal quantity nearer to the state of New-York, that the distress of its inhabitants in that respect may be more immediately relieved.

In obedience to the summons with which Mr. Gunning Bedford was served, he attended, and being called in, acknowledged that the copies of the letters with which he was served, were true copies of the letters he wrote to, and received from, Mr. Sergeant; and having spoken in justification of his conduct, he was ordered to withdraw.

*Resolved*, That Mr. Gunning Bedford has been guilty of a high breach of the privileges of this house, in sending a challenge to one of its members, for words spoken by him in this house, in the course of debate:

*Ordered*, That Mr. Gunning Bedford immediately attend at the bar of this house, and that the president inform him, that it is expected he will ask pardon of the house, and of the member challenged.

Mr. Bedford being called in, the resolution of Congress was read to him; and having asked pardon of the house and of the member,

*Ordered*, That he be dismissed.

*Resolved*, That major-general Arnold be authorized to take upon him the command of all the militia now at Bristol, and on every other part of the river to the eastward of Philadelphia, which have been called forth into service by a requisition of the 24th day of April last; and that he be authorized to dispose of himself, and the troops under his command, in such a manner as he shall deem best adapted to promote the public service.

*Ordered*, That a copy of the foregoing resolution be sent to the president and supreme executive council of the state of Pennsylvania for their concurrence.

*Ordered*, That 1600 dollars be advanced to Jeremiah Butler; armourer, for the public service; he to be accountable.

The committee on appeals, to whom was referred the petition from Jacob Green, and others, brought in a report; Whereupon,

*Resolved*, That the prayer of the petition be granted, and a new hearing awarded on the appeal brought against the judgment of the court of admiralty in the libel "Job Pierce against the brig Phoenix," unless the appellants can shew that notice was duly given of the appeal: that, for this end, the petitioner serve the appellant with a copy of this resolve, and with notice of the time when he shall make further application to the committee appointed by Congress to hear and determine appeals, for a new day to be assigned for the said hearing.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

MONDAY, June 16, 1777.

A letter, of the 13th, 14th, and 15th, from general Washington, at Middlebrook, with copies of letters that passed between him and lord Cornwallis

and general Howe; one, of the 8th and 9th, from general Schuyler, at Albany, with sundry papers enclosed; and a letter and memorial from Apollos Morris, were read:

*Ordered*, That the letters of general Washington, lord Cornwallis and general Howe, be published:

That the letter from general Washington, and general Schuyler, with the papers enclosed, be referred to the board of war:

That the letter and memorial from Apollos Morris, be referred to a committee of three, and that they be directed to take into consideration general Washington's letters, so far as they relate to the said Mr. Morris.

The members chosen, Mr. R. Morris, Mr. Duer, and Mr. Sherman.

*Ordered*, That brigadier-general de Haas repair immediately to general Washington's head-quarters.

A letter, from brigadier-general Conway, and a memorial from Mons. de la Balme, were read:

*Ordered*, That they be referred to the committee on foreign applications.

The delegates of Virginia laid before Congress, a letter from governor Henry, which was read:

*Ordered*, That it be referred to the board of war.

A letter, of this day, from Thomas Wharton, president of the supreme executive council of Pennsylvania, was read:

*Ordered*, That it be referred to the board of treasury.

A memorial from Monsieur du Coudray was read:

*Ordered*, That it be referred to the committee on foreign applications, who are directed to confer with Monsieur du Coudray.

The committee appointed to consider what compensation should be made to officers in the commissary's department, brought in a report; Whereupon,

*Resolved*, That the pay and allowance to the commissaries-general, deputy commissaries-general, assistants, and persons employed under them, be as follows, viz.

To the commissary-general of purchases, 8 dollars and 6 rations a day:

To the deputy commissaries-general of purchases, each 5 dollars and four rations a day:

To the assistant commissaries of purchases, each 4 dollars per day:

To the commissary-general of issues, 150 dollars a month, and six rations a day:

To the deputy commissaries-general of issues, each 75 dollars a month, and four rations a day:

To the assistant commissaries of issues, each 40 dollars a month, and two rations a day:

To the clerks of the commissaries-general and deputy commissaries-general, each 35 dollars a month, and two rations a day:

To such deputies as purchasers of live stock are empowered to employ, for receiving the same at the several posts, each 27 dollars a month, and two rations a day, whilst in such service.

*Resolved*, That the commissary-general of purchases be empowered to regulate the pay of drovers and butchers, and transmit such regulations to Congress:

That the commissary-general of issues, in like manner, be empowered to regulate and transmit to Congress the pay of coopers, packers, and other persons he may find necessary to be employed in such kind of services.

*Resolved*, That Wednesday next be assigned to consider the report from the committee on the treasury, and the committee appointed to devise ways and means for defraying the expense of the current year.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

**TUESDAY, June 17, 1777.**

A letter, of the 8th May, from brigadier-general R. Howe, at Charleston, with a copy of the proceedings of a court-martial; and one, of the 13th of April, from J. Rutledge, president of South-Carolina, with sundry papers enclosed, were read:

*Ordered*, That the letter from brigadier-general Howe be referred to the board of war; that the letter from J. Rutledge, esq. be referred to the board of treasury.

*Ordered*, That the sum of \$1,590 dollars be passed in the treasury books to the credit of the state of South-Carolina, and charged to the account of William Kennon, the same being in full of a bill; No. 1, drawn at Charleston, April 14, 1777, by the said William Kennon, in favor of John Rutledge, esq. president of South-Carolina, for the use of the said state.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to colonel David Mason, of the 15th Virginia regiment, for a pair of button-moulds, which he procured for the use of the said regiment, 16.60 dollars.

The committee on the treasury, also reported,

That there should be advanced to Andrew Bryan, lieut. in capt. Nathaniel Mitchell's company, of col. William Grayson's regiment, and charged to the said regiment, 800 dollars.

*Ordered*, That the said sums be paid.

A petition from Paul Hussey, late commander of the schooner *Rosanna*, in behalf of John Brown, owner of the said schooner, with her tackle, apparel, furniture, and cargo, seized and taken as prize, by the schooner *Priscilla*, commanded by Yelverton Fowkes, was read:

*Ordered*, That it be referred to the committee on appeals.

The committee appointed to consider what honors are due to the memory of general Wooster, brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That a monument be erected to the memory of general Wooster, with the following inscription:

"In honor of David Wooster, brigadier-general in the army of the United States. In defending the liberties of America, and bravely repelling an inroad of the British forces to Danbury, in Connecticut, he received a mortal wound on the 27th day of April, 1777, and died on the 2d day of May following. The Congress of the United States, as an acknowledgment of his merit and services, have caused this monument to be erected."

*Resolved*, That the executive power of the state of Connecticut be requested to carry the foregoing resolution into execution; and that 500 dollars be allowed for that purpose.

The board of war brought in a report: Whereupon, Congress came to the following resolutions:

Whereas James Mease, esq. clothier-general, has, by his memorial, set forth, "That he is very much embarrassed and perplexed in the conducting of his department by the occasional interference of particular states, who frequently by virtue of their votes or resolves, take and appropriate the public clothing, and necessaries either imported or purchased on account of the continent, on its passage through their respective states, which has occasioned much disappointment, and will, if not put a stop to, introduce the greatest disorder and confusion in his department, and will render it impossible for him to cause an equal distribution amongst the troops of these states. Therefore,

*Resolved*, That the several continental agents in the different states, be directed to deliverer out no clothing imported or purchased on account of the continent, but to the express order of the clothier-general, or his agent

and that they be directed to transmit to the clothier-general, an account of all clothing that may be imported as expeditiously as possible after its arrival ; and that a copy of this resolution be sent to the several states.

*Resolved*, That the petition of Charles Harrison, and Peter Campbell, prisoners, from the state of New-Jersey, be referred to the governor and council of that state.

*Resolved*, That the commissary-general of clothing be directed to supply the army with a sufficient number of combs.

*Resolved*, That Mr. Joseph Nourse be appointed deputy secretary to the board of war, with a salary of 780 dollars per annum, to commence from the 10th day of May last.

*Resolved*, That colonel Hall of the 4th Maryland regiment, be furnished out of the continental store with as much clothing as the men of the late capt. Yates's company want to supply their present necessities ; the same to be deducted out of their pay, and, for that purpose, an account thereof to be rendered by the clothier-general to the pay-master of the said regiment.

A letter from governor Johnson, of Maryland, with sundry accounts relative to the militia of that state, who were called into service last winter, was read :

*Ordered*, That the same be referred to the board of treasury.

*Ordered*, That a warrant for 50,000 dollars be drawn on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of James Mease, esq. clothier-general, or order, for the public service, he to be accountable :

That a warrant for 100,000 dollars be drawn on the commissioner of the loan-office for the state of New-Hampshire, in favor of the state of New-Hampshire, for the use thereof, the said state to be accountable.

The board of war brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That the battalion directed by the state of North-Carolina, to be raised under the command of col. Abraham Sheppard, be admitted on the continental establishment, and considered one of the sixteen battalions which general Washington was empowered to raise and commission ; the several stipulations and conditions by the said state provided, relative to the said battalion, being observed ; and that the said colonel Sheppard be ordered, as soon as 300 rank and file shall be inlisted into his said battalion, if within the time by the state of North-Carolina stipulated, to join general Washington with all possible expedition, leaving proper officers to recruit :

That the appointment of Mr. Winslow, by general Gates, as captain of artillery, be approved and confirmed by Congress :

That Congress approve of general Schuyler's annexing major Nicholson's corps to colonel Livingston's regiment :

That the clothier-general be directed to send 500 blankets to general Schuyler, as soon as the service here will admit of it :

That the pay of a secretary to a brigadier-general in a separate command, be 50 dollars a month, during such command :

That the pay of the secretary to the commander in chief in the northern department, be 60 dollars a month.

The committee on the treasury, to whom was referred the letter from the president of Pennsylvania, brought in a report ; Whereupon,

*Ordered*, That there be advanced to the president and the supreme executive council of the state of Pennsylvania, on their application for that purpose, 50,000 dollars, for which the said state is to be accountable.

The several matters to this day referred, being postponed,

**Adjourned** to ten o'clock to-morrow.

WEDNESDAY, June 18, 1777.

A letter from Joseph Thornburg, wagon-master general, dated camp, at Middlebrook, June 16, and directed to general Mifflin, was read :

*Ordered*, That it be referred to the board of war.

*Resolved*, That Joseph Thornburg, wagon-master general, have the rank of lieutenant-colonel in the army of the United States.

A petition from Elijah Clark, Richard Wescot, and others, was read :

*Ordered*, That it be referred to the marine committee.

A memorial from Henry Haller, was read :

*Ordered*, That it be referred to the board of treasury.

The board of war brought in a report, which was read ; Whereupon,

*Resolved*, That as several mitigating circumstances appear in favor of Thomas M'Cann, condemned by a general court-martial, held at Charleston, South-Carolina, to be shot for desertion, general Howe, commanding the continental forces in South-Carolina, be empowered to grant a free pardon to the criminal, if he shall think such a step conducive to the good of the service and the public welfare, or order execution, if he think proper :

That a general officer commanding a separate department, be empowered to grant pardons to, or order execution of, persons condemned to suffer death by general courts-martial, without being obliged to report the matter to Congress or the commander in chief.

*Resolved*, That the petition of Thomas Rutherford, and the other prisoners from North-Carolina, now on parole at Fredericktown, be referred to the governor and council of the state of Maryland, who are requested to allow them such limits and give such orders concerning their support and government as they shall think proper, agreeable to the resolution of Congress, during their continuance in that state.

Congress proceeded to the election of commissaries and deputy commissaries-general of purchases and issues; the nomination having been previously made, and, the ballots being taken, the following gentlemen were elected, viz.

Joseph Trumbull, esq. commissary-general of purchases ; William Aylett, William Buchanan, Jacob Cuyler, and Jeremiah Wadsworth, esq. deputy commissaries-general of purchases.

Charles Stewart, esq. commissary-general of issues.

William Green Mumford, Matthew Irwin, and Elisha Avery, esqrs. deputy commissaries-general of issues.

A letter, of the 1st, from Thomas Chase, deputy quarter-master at Boston, to general Mifflin, was laid before Congress and read.

*Ordered*, That it be referred to the board of treasury, and that they confer with general Mifflin, and report such regulations respecting purchases in the quarter-master's department, as they think proper ; that they also confer with the clothier-general, and such other persons as are employed in making purchases for the continent, and report thereon.

The committee on Indian affairs, to whom were referred the letters and papers from colonel Morgan, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the treaty, proposed by colonel Morgan, be held at Fort-Pitt.

That the commissary-general be directed to supply colonel George Morgan, with 500 bushels of salt, to be forwarded to Fort-Pitt, for curing the provisions directed by Congress to be stored there :

That the letter from colonel Morgan, and the several papers enclosed therein, be referred to the board of treasury.

The committee on the treasury reported,

That there should be advanced to ensign Reynal Hillery of the 4th com-



pany of the 1st battalion of Maryland continental forces, commanded by colonel John Hawkins Stone, to be paid to William Paca, esq. and charged to the said battalion, 30 dollars.

In consequence of an adjustment by the commissioners of accounts, the auditor-general reports,

That there is due to Robert Jewell, for his account of subsistence of prisoners in the new gaol, his and his two assistants' allowance, pump mending, wood, candles, &c. from the 11th April to June 6th, 1338.58 dollars:

To Christian Farrer, for ferriage of troops over Susquehanna, 16.39 dolls.

To captain James Scott, of the Virginia militia, a balance of his account for pay and subsistence of his company, 179 dollars, to be paid to Mr. Kimber Barton:

To Michael Mearing, for 89 meals he supplied the troops on their march to head-quarters, 11.78 dollars:

To Margaret Massey, for sundries she supplied two sick men in the hospital, 22 dollars:

To Casper Snevely, and to be paid to Philip Marsteller, for the pay of three men of his company, who were not included in the pay-roll formerly settled, 38 dollars:

To John Groh, for a rifle lost at Fort-Washington, 16 dollars, to be paid to Philip Marsteller;

To Adam Orth, and to be paid to Philip Marsteller, for 85 meals supplied the militia on their march, 8.45 dollars:

To Stephen Paschall, for superintending the printing and rolling press, 52 dollars.

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, June 19, 1777.

A letter, of the 18th, from general Arnold, at Coryell's Ferry, enclosing a letter from general Washington, was read.

A petition from Josiah Hewes, in behalf of Mr. Nicholas Brown, merchant, of Providence, owner of the sloop Lydia, was read, setting forth, that the said sloop was taken by a British man of war, and afterwards taken up adrift by captain John Baldwin, in the schooner Wasp, and carried into Chingoteague inlet, where she was condemned, and sold, before it came to the knowledge of Mr. Brown; and, therefore, praying, "That right and justice may be done to the owner, and a proportion of the value of the said vessel and cargo delivered to him."

*Ordered*, That the said petition be referred to the marine committee; and that they enquire into the facts, and do therein what they judge right; that in case the facts set forth are found true, they be instructed to relinquish to the owner, such share of the money arising from the sale of the said vessel and cargo, as hath been adjudged to the continent.

A petition from Simeon Gore was read:

*Ordered*, That it be referred to the executive power of Pennsylvania.

*Resolved*, That the report from the committee of the treasury, and the committee appointed to devise ways for defraying the expenses of the current year, be referred to a committee of the whole Congress.

Congress then resolved itself into a committee of the whole, to take into consideration the reports referred to them; and after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had the same under consideration, but not having had time to go through, desired leave to sit again;

*Resolved*, That Congress will, to-morrow, resolve itself into a committee

of the whole, to consider farther the reports of the committee on the treasury, and the committee of ways and means.

The committee on the treasury, to whom was referred the letter from colonel Thomas Chase, deputy quarter-master general, reported,

That they have conferred with general Mifflin thereupon, and that the general informs the committee, that the army still continues to be in want of tents, and that all he has a prospect of purchasing to the eastward, will not be more than sufficient for the service; and, therefore, they are of opinion, that a warrant should be drawn on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of colonel Thomas Chase, deputy quarter-master general, for 50,000 dollars, to be charged to general Mifflin, quarter-master general; and for which he is to be accountable.

They farther report, that there should be advanced to captain Jonathan Langdon, of the 12th Virginia regiment, commanded by colonel James Wood, 100 dollars, to be charged to the said regiment, and accounted for with the pay-master general.

*Ordered*, That warrants be drawn accordingly.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

FRIDAY, June 20, 1777.

Two letters, of the 18th, from Joseph Trumbull, esq. commissary-general, and one, of the 11th, from colonel Spotswood, were read.

*Ordered*, That the letters from Mr. Trumbull be referred to the board of treasury, and the letter from colonel Spotswood to the board of war.

The delegates from Pennsylvania laid before Congress sundry resolutions, passed in the general assembly of the said state; which were read as follows:

“IN GENERAL ASSEMBLY FOR THE STATE OF PENNSYLVANIA,  
*Tuesday, 10th June, 1777.*

“The house resumed the consideration of the report of the committee respecting the assignment of the troops of this state to the Congress; and it was, thereupon, *Resolved*, That this house do heartily concur with his excellency the president and council, that it will be expedient to transfer to the honorable the Continental Congress, the Pennsylvania state regiment, commanded by colonel Bull, the regiment of artillery, commanded by colonel Proctor, and captain Pugh's company, raised for the purpose of guarding the powder-mills. That his excellency the president and council be, and they are hereby, authorized and empowered, to negotiate and settle the said transfer or assignment with the Congress, on such terms and conditions as to them shall seem most proper, so as to have the said troops credited to the quota of men to be furnished by this state: and also, that it be recommended to them, to procure captain Weaver's company, raised at Lancaster, for the use of the United States, to be placed to the credit of the same account.

Extract from the minutes.

JOHN MORRIS, JUN. *Clerk of Assembly.*”

“IN COUNCIL, *Wednesday, June 18, 1777.*

“The forgoing resolve of the general assembly being laid before the council, thereupon, *Ordered*, That a copy of the said resolve be delivered to the delegates of this state in Congress, and that they be requested to transact this business with Congress, in the way they shall think most proper.

Extract from the minutes.

T. MATLACK, *Secretary.*”

*Ordered*, That the same be referred to the board of war, and the delegates from Pennsylvania.

A letter, of the 19th, from T. Wharton, president of the state of Pennsylvania, was read, wherein, "agreeable to a resolution of the general assembly of the said state, passed the 19th, and at the request of the council, he requests Congress to lend to the state of Pennsylvania, the additional sum of 50,000 dollars, to be repaid in a very short time ;"

Whereupon, *Resolved*, That 50,000 dollars be advanced to the state of Pennsylvania, the said state to be accountable.

The board of war report, "That they have taken into consideration the case of Peter Pickman Frye, a soldier in the Massachusetts regiment, now under sentence of death for deserting, with an intention to go over to the enemy, and have perused and considered a certificate of the committee of correspondence, inspection and safety, at Salem, in the said state, wherein the said committee set forth, 'That the said Frye is a person, who, they think, from their knowledge of him, is not possessed of a common share of understanding, and that he is really incapable of committing a crime, maliciously and with design, deserving so severe a punishment as that to which he is now sentenced ;' and that, therefore, they are of opinion, that however base the crime of desertion may be, and, more especially, when blackened by an intention to assist our inveterate and cruel enemies, yet, if it be true, that the person now condemned for the commission of this crime is in the state of idiocy or insanity, the articles of war, in this case made, can have no operation as to him :"

Whereupon,

*Resolved*, That general Heath be directed to enquire into the fact set forth by the committee, who, no doubt, certify the matter as it appears to them, and if he shall find the culprit of unsound mind, or incapable, from natural defect of understanding, to judge of what is right or wrong, that a free pardon be granted him for this reason only, and by no means on account of friends or connexions, who should never be considered when public justice demands vicious men to suffer. Congress consider simple desertion as a crime the most atrocious and detestable, but when coupled with an intention to desert to the enemy, the offence becomes doubly heinous and wicked, the person committing it being guilty of both perjury and treason ; therefore, that it be recommended to general Heath, to be cautious in his enquiries into the circumstances of the present case, and if he be not fully satisfied, as to the said Peter Pickman Frye's incapacity, that he be empowered and directed to order immediate execution.

*Resolved*, That the petition of William Fields, and Matthias Sopenfield, and of John Smith, and James M'Donald, be referred to the government of North-Carolina, who are requested to take such measures therein as they shall think proper.

Congress took into consideration the report of the board of war of the 21st of April last: Whereupon,

*Resolved*, That a corps of invalids be formed, consisting of eight companies, each company to have one captain, two lieutenants, two ensigns, five serjeants, six corporals, two drummers, two fifers, and one hundred men. This corps to be employed in garrison, and for guards in cities and other places, where magazines or arsenals, or hospitals are placed ; as also to serve as a military school for young gentlemen, previous to their being appointed to marching regiments ; for which purpose, all the subaltern officers, when off duty, shall be obliged to attend a mathematical school, appointed for the purpose, to learn geometry, arithmetic, vulgar and decimal fractions, and the extraction of roots ; and that the officers of this corps shall be obliged to contribute one day's pay in every month, and stoppages shall be made of it accordingly, for the purpose of purchasing a regimental library of the most approved authors on tactics and the petite guerre : That some officers from this corps be constantly employed in the recruiting service in the neighborhood of the places they shall be stationed in ; that all recruits so raised,

shall be brought into the corps and drilled, and afterwards draughted into other regiments as occasion shall require.

Congress proceeded to the election of a colonel of the said corps of invalids; and, the ballots being taken,

Lewis Nicola, esq. was elected.

*Ordered*, That the board of war report a plan for carrying into execution the foregoing resolve.

The committee of appeals, to whom was referred the petition of captain Paul Hussey, brought in a report: Whereupon,

*Resolved*, That captain Yelverton Fowkes, commander of the privateer Priscilla, appear before the committee of appeals within forty days after this resolve, and that a copy of this resolve, together with a copy of the said petition, and of the affidavit accompanying it, shall be served upon the said Yelverton Fowkes, his agent, or some one of the owners of the said privateer Priscilla, to shew cause, why the prayer of the said petition should not be granted.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to col. Lindenmuth, late major of col. Gehr's battalion of Berks county militia, but now colonel thereof, for the balance of pay of capt. Spangler's company, 634 dollars; of capt. Shappel's company, 274.78 dollars; of capt. Seydett's company, 293.12 dollars; of capt. Ladig's company, 786.12 dollars; of capt. Wetstone's company, 74.54 dollars; amounting in the whole to 2611 dollars:

To capt. James M'Connel, of col. Watt's battalion, of Cumberland county flying-camp, for pay, and for guns, &c. lost at Fort-Washington, 408.72 dollars:

To Robert Jewell, for the balance of the following accounts for maintaining prisoners in the new gaol, his and his two assistants' salary, &c. viz. his account from Jan. 24 to Feb. 21, not before settled, £234 12 8; from the 6th to the 17th June, £147 8 2, making in the whole £382 0 10, from which deduct £300 0 0, an advance made him in December last, the balance due to him is £82 0 10, equal to 218.70 dollars:

To capt. Yost Herbach, of col. Joseph Donaldson's battalion of York county militia, for the pay and mileage of his company, 376.10 dollars:

*Ordered*, That the said accounts be paid.

The committee appointed to devise ways and means for supplying the army with shoes, hats and shirts, brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That a suitable person be appointed commissary, to receive all raw hides belonging to the United States, and that he be authorized to exchange the same for tanned leather, or men's shoes, at the customary rates of exchange, and have the leather so obtained, worked into shoes, and deliver them to the clothier-general, or his order, taking duplicate receipts; one of which he shall transmit to the board of treasury:

That when the said commissary shall be of opinion, that the said exchanges cannot be made on reasonable terms, he be authorized to provide tan-yards, materials, and workmen for that purpose, or contract with proper persons to tan them on reasonable terms:

That if oil cannot be procured for preparing the curried leather, the said commissary be supplied with tallow out of the public stores, to be used instead thereof; and that he draw for so much as may be necessary on any of the commissaries of issues, making a return of the quantity so drawn to the deputy commissary-general of issues in the district:

That the said commissary of hides shall be supplied with money for carrying on the said business as occasion may require, on application to Congress; and that he settle his accounts with the treasury board once a year, or oftener if required:

That the board of war may order the commissary of hides to deliver to the commissary of military stores so much of the leather in his hands as may be necessary for making accoutrements, &c. for the army; and that the said commissary shall obey such orders and directions as may, from time to time, be given to him by the board of war, respecting the business of his office, and the persons necessary to be employed by him in the service, and make return of his doings to the said board, when required:

That the secret committee import a suitable number of felt hats, not exceeding 50,000, and linen for as many shirts, for the use of the army; and also import from the Spanish West-Indies such a quantity of dried hides as they may judge necessary for a further supply of leather for shoes and other public uses:

That it be recommended to the governments of the several states, to procure as much home-made linen, suitable for shirts for the troops, as may be obtained on reasonable terms in the respective states, and deliver the same to the clothier-general, taking duplicate receipts, and transmit one of them to the treasury board; and apply to Congress for such sums of money as may be necessary to pay for the same:

That the pay of the commissary of hides be 80 dollars a month.

Congress proceeded to the election of a commissary of hides; and the ballots being taken, Peter Philips, esq. was elected.

Congress took into consideration the report of the board of treasury, on the rules to be observed in paying the army; and, after debate,

*Ordered*, That it lie for consideration till Tuesday next, and that, in the mean time, the board of treasury prepare printed copies of the form mentioned in the said report.

The committee to whom was referred the case of major Apollos Morris, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That major Apollos Morris be put under parole by the board of war, not to bear arms against the United States of America during the present war with Great-Britain, nor to give any intelligence, directly or indirectly, to the enemies of the said United States, or any of them, of any measures or proceedings of Congress, or any of the legislative or executive powers presiding in the several states respectively:

That when the board of war shall have taken such parole, they direct the said major Apollos Morris to remain in Philadelphia until an opportunity shall offer for the said major to take passage to Europe or the West-Indies, with the consent and approbation of the marine committee.

*Resolved*, That Monday next be assigned for considering the articles of confederation.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, June 23, 1777.

Mr. John Penn, a delegate from North-Carolina, attended, and took his seat.

A letter, of the 20th, from gen. Washington, at Middlebrook, enclosing an extract of a letter from colonel Jackson to general Knox, dated "Boston, 8th June," and a copy of a letter from general Schuyler, at Saratoga; also, a letter of this day, from doctor D. Jackson, requesting leave to resign his appointment as a manager of the United States' lottery; and a letter of the 20th, from Dr. Shippen, informing "that Dr. Walter Jones, for weighty reasons, cannot accept the honor Congress did him in appointing him physician-general of the hospital in the middle department;" and that he gives this information at the desire of doctor Jones; also, a letter of the 28th of May, from Pierre Van Cortlandt, president of the council of safety of New-York, were read:



*Ordered*, That the letter from gen. Washington, with the papers enclosed, be referred to the committee of intelligence :

That the letter from Dr. Shippen lie on the table till to-morrow.

*Resolved*, That Dr. Jackson, who has entered into the service of the general-hospital, have leave to resign his office of manager of the lottery.

A delegate from the state of New-York laid before Congress a printed paper, signed "A word to the wise is sufficient," containing an extract from the minutes of Congress, and a letter signed Thomas Young, to the inhabitants of Vermont, dated "Philadelphia, April 11, 1777," which was read:

*Ordered*, That the letter from P. Van Cortlandt, and the foregoing printed paper, and the papers formerly received from the convention of New-York, respecting the difference likely to arise between that state and the inhabitants of the place called the New-Hampshire Grants, and also the papers received from the said inhabitants, be referred to a committee of the whole.

*Resolved*, That Congress will, on Wednesday, resolve itself into a committee of the whole, to consider the aforesaid letters and papers.

*Resolved*, That Joseph Trumbull, esq. and the several persons by him lately employed in the commissary's department, be directed to supply the army with provisions in the mode which they have heretofore practised, until the commissaries-general on the new establishment shall be prepared to enter upon the business.

*Resolved*, That the board of war be directed to prepare the form of a commission for the officers in the commissary's department.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Elias Boudinot, esq. commissary-general of prisoners, have power to appoint three deputies under him in addition to those he was heretofore authorized to appoint :

That all commissaries or other persons in the several states, having the custody or care of prisoners of war, be obliged, at any time when required by the commissary-general of prisoners, or his deputies, to deliver over to him or his deputies, all such prisoners of war as are, or shall be, in their care or custody.

According to the order of the day, Congress took into consideration the articles of confederation; and, after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

A letter of the 14th, from general Schuyler, at Saratoga, with seven papers enclosed, was read :

*Ordered*, That the same be referred to the board of war.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant be drawn in favor of the board of war for 200,000 dollars, to be by them sent to the deputy pay-master general, Jonathan Trumbull, jun. for the use of the army in the northern department.

These several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, June 24, 1777.

A letter, of the 22d, from general Washington, at Middlebrook; one, of the 23d, from Mr. President M'Kinley; one, of the 19th, from governor Livingston; and a petition from Henry Yelverton Price, were read:

*Ordered*, That the letter from general Washington be referred to the committee of intelligence.

Congress took into consideration the letter from president M'Kinley;

Whereupon, *Resolved*, That for the reasons assigned in the said letter, the militia of the state of Delaware, now drawn forth into actual service,

be discharged; and that a warrant be drawn on the commissioner of the continental loan-office, in the said state, in favor of Mr. President M'Kinley for 10,000 dollars, to pay the said militia, he to be accountable.

A petition from Daniel Bucklin, commander of the privateer *Montgomery*, was read:

*Ordered*, That it be referred to the committee on appeals.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That a warrant issue on the continental treasurer in favour of John Gibson, esq. auditor-general, for the sum of 500,000 dollars, to be sent to him, and for which he is to be accountable.

*Resolved*, That there be allowed for holding the treaty at Fort Pitt, lately agreed to, 3000 dollars, to be paid to colonel George Morgan, for which he is to be accountable:

That there be allowed for contingent expenses of the middle department for Indian affairs, until December next, 1200 dollars, be paid to colonel George Morgan; and for which he is to be accountable.

*Resolved*, That the execution of the resolution of Congress of the 8th day of January last, for laying up magazines of provisions at Port-Pitt, be suspended, so far as relates to Indian expeditions, of which, at present, from the friendly disposition of the Indians, there seems but little probability; and that a magazine be laid up there, sufficient only for the supply of the posts and garrisons in that quarter.

*Resolved*, That for completing boats and other vessels ordered by Congress to be kept in readiness at Fort-Pitt, 3000 dollars be advanced to colonel George Morgan; for which he is to be accountable.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That 1200 dollars be advanced to captain Robert Higgins, of the 8th Virginia regiment, to enable him to complete his company; he to be accountable for the expenditure.

*Resolved*, That the board of war write to the commissary of prisoners, instructing him to propose to the commissary of prisoners, in New-York, that the prisoners of each party in the present war be supplied with such provisions, clothing or other necessaries during their captivity by the respective captors, as may be approved by the deputy commissaries resident where the prisoners are confined; fixing in the contract the quantum and value of a ration of provisions; the clothing and necessaries to be charged at the current prices; and the account of such supplies to be rendered quarterly, and the balance paid, if required, in provisions at the current rates, if due from the American commissary; or in clothing at the current price, if due from the British commissary.

*Resolved*, That the commissary of prisoners, be empowered to make such contract on behalf of the United States of America, and to make such reasonable alterations from the directions of the board of war as he may find necessary, to obtain an equitable bargain for the mutual supply of prisoners.

*Resolved*, That if the commissary-general of prisoners shall not be able to accomplish a contract on equitable principles within the space of three weeks from this date, he be authorized to send in a quantity of provisions to supply the prisoners of war taken by the enemy and now in New-York; that the overplus provision, beyond what the prisoners want for their sustenance, be sold to supply them with clothing and other necessaries; and that it be recommended to the commissary general of prisoners, not to divulge his resolution, that unreasonable advantage may not be taken of it.

The board of war having recommended, that eleven workmen employed by colonel Mark Bird, in the cannon-foundery and nail works, in Berks

county in Pennsylvania, carried on by him for the use of the United States, be discharged from the militia into which they are draughted.

*Ordered*, That this matter be referred to the supreme executive council of the state of Pennsylvania.

A petition from Andrew Hodge, was read :

*Ordered*, That it be referred to the marine committee ; and that they be empowered and instructed to take measures for obtaining an exchange of Andrew Hodge, son of the petitioner.

A petition from Robert Levers was read :

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That Mr. Frost be appointed a member of the marine committee, in the room of Mr. Whipple.

*Resolved*, That another member be added to the board of war.

*Resolved*, That the election be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, June 25, 1777.

Mr. Dyer, Mr. Williams, and Mr. Law, three delegates from Connecticut, attended, and took their seats.

A letter, of the 28th May, one, of the 11th, and one, of the 12th instant, from governor Trumbull ; and one, of the 20th May, from general Spencer, were read :

*Ordered*, That they be referred to the board of war.

*Resolved*, That to-morrow be assigned for taking into consideration the articles of confederation.

According to the order of the day, Congress resolved itself into a committee of the whole, to consider the letter from A. Ten Broek, president of the convention of the state of New-York, dated January 20th, and March 1st, the resolutions passed in committee of safety for the said state, Fish-Kill, January 20, 1777 ; also a petition signed Jonas Fay, Thomas Chittenden, Heman Allen, and Reuben Jones, in behalf of the people stiling themselves inhabitants of the New-Hampshire grants, dated "New-Hampshire grants, Westminster, 15th January, 1777 ;" a letter, from Pierre Van Cortlandt, dated 28th May, 1777 ; and the printed paper, containing a letter signed Thomas Young ;—and, after some time spent thereon, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the letters and papers referred to them, but not having had time to go through the same, desire leave to sit again.

*Resolved*, That Congress, on Friday next, resolve itself into a committee of the whole, to consider farther the letters and papers aforesaid.

A letter from Monsieur du Coudray, was read :

*Ordered*, That it be referred to the board of war.

The committee on foreign applications, brought in a report :

*Ordered*, That the same be taken into consideration to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### THURSDAY, June 26, 1777.

A letter, of the 25th, from gen. Washington, at Quibble-town, was read :

*Ordered*, That it be referred to the committee of intelligence.

A letter, of this day, from Matthew Irwin, was read, wherein he informed Congress that he cannot accept the office of deputy commissary-general of issues, to which Congress have been pleased to appoint him.

The committee appointed to enquire into the conduct of the commissaries, to whom the petition of John Lawrie, Michael Mount, and Jacob Hendrick-

son, and the petition of captain Francis Wade, were referred, reported, "That captain Francis Wade was, in January last, commissioned by general Washington, in pursuance of authority from Congress, to collect in New-Jersey, for the use of the army, all the beef, pork, flour, spirits, liquor, &c. not necessary for the subsistence of the inhabitants, and if not to be otherwise obtained, to use force for that purpose; that he accordingly collected considerable quantities, for most of which, greater prices were asked by the proprietors than he thought proper to give;—upon due consideration whereof, your committee recommend, that captain Francis Wade be directed to pay the following prices for such articles by him taken in the Jerseys, early in January last, which were not paid for to the satisfaction of the owners, viz. pork at 18 2-3ds dollars; West India rum at 2 2-8ds dollars per gallon; French and country rum at 2 dollars per gallon; salt, 4 dollars per bushel; sugar, 24 dollars per hundred; cheese, 15-90ths dollar per lb. hog's-lard, 12-90ths dollar per lb. That they have enquired into captain Wade's conduct as a public officer, and are of opinion, that he acted with as little severity as might be expected in the execution of such an office, ever disagreeable to a free people to have exercised among them, and which nothing but pure necessity could authorize."

The committee farther report, in addition to their report of the 14th April last, "That having in the course of their enquiry into the conduct of the commissaries, received sundry informations respecting the misconduct of Mr. Carpenter Wharton, they, at his request, furnished him with the charges brought against him, which were sent by a messenger of this house, and are as follows, viz.

1. That during the last campaign, he neglected his duty in not seasonably supplying the army with provisions, and put the general under the necessity of appointing a commissary in his stead.

2. That in the fall of the last year, he brought to Fort Lee, such a large number of cattle, by his own acknowledgment, not less than 700, others say more, at a time, that they suffered greatly for want of proper keeping, and became unfit for beef, many of them in such state when delivered, and from the largeness of their numbers many were lost; and upon the retreat of our army across Delaware river, droves of cattle by his direction were brought in, out of one of which droves, 254 cattle were taken as unfit for killing, and sent to his farm to winter, which he acknowledges were sold, the loss upon which, it is supposed, the public are charged with.

3. That he purchased large quantities of flour to supply the magazines and army, at extravagant prices, much beyond what the same might have been procured for, employing persons to purchase, either wholly unacquainted with business, or such as designedly raised the prices with a view to increase their profits, under the idea of receiving commissions.

4. That he raised the price of pork by bidding either by himself or agents, much greater prices than the people he purchased from had agreed to sell the same for, to other commissaries; that he also purchased rum at prices higher than the same might have been obtained for.

5. That so far from endeavoring to serve the public faithfully, he refused to confer with other commissaries for concerting a mode to prevent the extravagant rise of provisions, by their bidding upon each other, said he would take his own method of purchasing, and others might do the same.

6. That he neglected his duty in not purchasing larger quantities of pork, in the proper season, when the same might have been had on reasonable terms.

That since sending the above charges, the committee have, till this time, delayed any further proceedings therein, that Mr. Wharton might have sufficient time to offer what he thought proper in vindication of his conduct, but have not heard any thing further from him: they are therefore of opinion,

that Mr. Carpenter Wharton ought to be immediately required to settle all his commissarial accounts with the commissioners for auditing accounts now sitting in Philadelphia; and that the said commissioners be furnished with the said charges, and such other information as the committee may think proper to give, the better to enable them to detect frauds if attempted, and do justice in the premises."

*Resolved*, That the said report be agreed to.

According to the order of the day, Congress took into consideration the articles of confederation; and, after debate thereon,

*Resolved*, That the farther consideration thereof be postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, June 27, 1777.

A letter, of the 19th, from W. Aylett, at Williamsburg; one, of the 20th, from W. Finnie, D. Q. M. G. also, a letter from governor Henry, to the delegates of Virginia, were read:

*Ordered*, That they be referred to the board of treasury.

The committee on the treasury reported,

That there should be advanced to colonel George Morgan, 20,000 dollars, for completing the payment of money he has engaged for on contracts for provisions, which are directed to be laid up in magazines at Fort-Pitt, for the supply of the different garrisons in that quarter; for the expenditure of which, the said colonel George Morgan is to be accountable.

*Ordered*, That the said sum be advanced.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Robert Aitken, for 768 Journals of Congress, a copper-plate printing-press, &c. 1487.6 dollars:

To colonel Henry Haller, for the expenses of escorting 23 Canadian prisoners from Reading to Paulus' Hook, with two stage and three baggage wagons, twenty days on the road, 1044.88 dollars, and for 56 lb. of lead, for the use of his battalion, 3.66 dollars, amounting, in the whole, to 1048.64 dollars:

To Rebecca Terry, for dieting soldiers of captain Grier's company, 6.70 dollars:

To Robert M'Knight, for a gun and bayonet, his property, lost in the retreat from Trenton last winter, 13.30 dollars:

To Franklin Davenport, as brigade-major under colonels Griffin, Newcombe and Penrose, in the militia service of New-Jersey, for pay from the 22d of December, 1776, to 26th January, 1777, 56.48 dollars:

To William Tricket, for stationary he furnished for the use of Congress and the treasury-office, 102 dollars:

To colonel George Morgan, for the balance of his account in the Indian department, 42.36 dollars:

To Jacob Neff, for sundry meals supplied troops of the militia on their march, 23.72 dollars:

To William Pollard, for the expenses of six of the Philadelphia light-horse to bring colonel Haussegger from Lebanon, by order of general Gates, 63.14 dollars:

To William Hall, for the expenses of four of the Philadelphia light-horse, on their expedition to Princeton with a charge of money, as also attending prisoners to Coryell's Ferry, 60.47 dollars:

To George Derland, a private in capt. James M'Clure's company, for his gun, bayonet, &c. lost at Fort-Washington, 16.60 dollars:

To major Thomas Leonard, a prisoner on parole at Reading, being of co-



lonel Skinner's corps in the British service, for his allowance from the 3d of March to the 22d of June, being 16 weeks, at 2 dollars per week, 32 dollars.

*Ordered*, That the said accounts be paid.

The committee on the treasury reported, That they have had under consideration the request of the commissary-general referred to them for supplying Mr. Matthew Irwin with 80,000 dollars, to enable him to pay for the magazines of provisions laid up in Pennsylvania; that they have been attended by Mr. Irwin, and in answer to their enquiry how this money was intended to be disposed of, were informed, that Joseph Pennel last winter purchased, in Lancaster and York-Town, about 20,000 barrels of flour, 11,000 bushels of wheat and 15,000 gallons of whiskey, which are still stored at those places and Valley-Forge, and that a balance of 20,000 dollars remain due to Mr. Pennel, and that Mr. Dunham wants 12,000 dollars to pay for cattle sent to head-quarters. That it appears to the committee that the said flour and wheat are in great danger of perishing, and must be wholly lost to the public, unless some effectual means are applied for their preservation.

The committee farther report, That they are also informed by Mr. Irwin, that the price of cattle in Pennsylvania is most exorbitant, and are of opinion, that it is advisable to direct the commissary-general to suffer as few as possible to be purchased in that state; Whereupon,

*Ordered*, That so much of the said report as relates to the perishable state of the wheat and flour, be referred to the board of war, who are directed to confer with Mr. C. Ludwick, superintendent of bakers, on the subject, and direct measures to be immediately taken for preserving the said wheat and flour:

That so much of the said report as relates to the high price of cattle in Pennsylvania, be sent to the commissary-general of purchases, and that he be directed to suffer as few as possible to be purchased in that state.

*Ordered*, That there be advanced to Matthew Irwin, agent to Joseph Trumbull, esq. commissary-general, 80,000 dollars, agreeable to the said commissary's request; who is to be accountable.

*Ordered*, That there be advanced to Rowland Madison, captain of a company of foot, in the 12th continental regiment, raised in Virginia, and commanded by colonel James Wood, 500 dollars, which is to be charged to the said regiment.

*Ordered*, That a warrant issue on the commissioner of the loan-office, in the state of Connecticut, in favor of Joseph Trumbull, esq. commissary-general, for 100,000 dollars; for which he is to be accountable.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of New-York, in favor of Jonathan Trumbull, jun. esq. deputy paymaster general in the northern department, for 200,000 dollars; for which he is to be accountable.

*Ordered*, That a warrant issue on the treasurer in favor of John Gibson, esq. auditor-general, for 500,000 dollars, to be sent to him, for which he is to be accountable.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of New-Jersey, in favor of the delegates of New-Jersey, for 31,000 dollars, for the use of that state, which is to be accountable.

*Ordered*, That there be advanced to captain James Holmes, of col. Mearns's New-Jersey battalion, 300 dollars, to be charged to the said battalion.

*Ordered*, That 1000 dollars be advanced to captain Jacob Weaver, of the dependent company at Lancaster, for the use of the said company; he to be accountable for the expenditure.

*Resolved*, That to-morrow be assigned for electing a deputy commissary-general of issues in the room of Mr. Irwin, who has declined serving.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**SATURDAY, June 28, 1777.**

A letter, of the 15th of May, from William Bingham, at St. Pierre's, Martinico, to the committee of secret correspondence, was laid before Congress, and read :

*Ordered*, That it be referred to the committee on foreign applications.

A letter, of the 26th, from Robert Ritchie, was read, requesting leave to resign the office of a manager of the lottery, "as the business of a commissioner of claims, to which Congress has been pleased to appoint him, engrosses the whole of his time :"

*Resolved*, That leave be granted to him.

A letter, of the 24th, from David Hall and others, with sundry papers enclosed, was read :

*Ordered*, That the same be referred to a committee of five.

The members chosen. Mr. Vandyke, Mr. Paca, Mr. Duane, Mr. S. Adams, and Mr. Wilson.

*Resolved*, That Tuesday next be assigned for taking into consideration the report of the committee on foreign applications respecting Monsieur de Coudray.

Congress resolved itself into a committee of the whole, to take into consideration the letters and papers from the state of New-York, the petition from Jonas Fay and others, and the printed paper referred to them ; and after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have come to sundry resolutions thereon, but not having had time to finish, desire leave to sit again.

*Resolved*, That Congress, on Monday next, be resolved into a committee of the whole, to consider farther the papers aforesaid.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

**MONDAY, June 30, 1777.**

A letter, of the 28th, from general Washington, at Middlebrook ; one, of the 27th, from Joseph Trumbull, esq. and one, of this day, from col. George Morgan, was read :

*Ordered*, That the letter from Joseph Trumbull be referred to the board of treasury.

A letter, of the 6th, and one of the 27th of February, from Silas Deane, esq. at Paris, directed to the committee on foreign applications :

*Ordered*, That they be referred to the committee on foreign applications.

*Ordered*, That 500 dollars be advanced to the delegates of Connecticut, for the use of that state, which is to be accountable.

*Ordered*, That Mr. Sherman have leave of absence.

*Resolved*, That Mr. Law be appointed a member of the marine committee, in the room of Mr. Sherman.

*Resolved*, That two members be added to the committee on Indian affairs.

The members chosen, Mr. Walton and Mr. Duane.

Congress resolved itself into a committee of the whole, to consider farther the letters and papers from the state of New-York, the petition from Jonas Fay, &c. and the printed papers ; and, after some time spent thereon, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the letters and papers referred to them, and have come to sundry resolutions thereupon, which he was ready to report.

*Ordered*, That the report be now received.

The report from the committee of the whole Congress being read, was agreed to, as follows :

*Resolved*, That Congress is composed of delegates chosen by, and representing the communities respectively inhabiting the territories of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, as they respectively stood at the time of its first institution ; that it was instituted for the purposes of securing and defending the communities aforesaid against the usurpations, oppressions, and hostile invasions of Great-Britain ; and that, therefore, it cannot be intended that Congress, by any of its proceedings, would do or recommend or countenance any thing injurious to the rights and jurisdictions of the several communities which it represents.

*Resolved*, That the independent government attempted to be established by the people styling themselves inhabitants of the New-Hampshire Grants, can derive no countenance or justification from the act of Congress declaring the United Colonies to be independent of the crown of Great-Britain, nor from any other act or resolution of Congress.

*Resolved*, That the petition of Jonas Fay, Thomas Chittenden, Heman Allen and Reuben Jones, in the name and behalf of the people styling themselves as aforesaid, praying that "their declaration, that they would consider themselves as a free and independent state may be received ; that the district in the said petition described may be ranked among the free and independent states, and that delegates therefrom may be admitted to seats in Congress," be dismissed.

*Resolved*, That Congress, by raising and officering the regiment commanded by col. Warner, never meant to give any encouragement to the claim of the people aforesaid, to be considered as an independent state ; but that the reason which induced Congress to form that corps was, that many officers of different states, who had served in Canada, and alleged that they could soon raise a regiment, but were then unprovided for, might be reinstated in the service of the United States.

Whereas, a printed paper, addressed to the inhabitants of the district aforesaid, dated Philadelphia, April 11, 1777, and subscribed Thomas Young, was laid before Congress by one of the delegates of New-York, to which address is prefixed the resolution of Congress of the 15th May, 1776, and in which are contained the following paragraphs : "I have taken the minds of several of the leading members of the honorable the Continental Congress, and can assure you, that you have nothing to do, but to send attested copies of the recommendation to take up government, to every township in your district, and invite all the freeholders and inhabitants to meet and choose members for a general convention, to meet at an early day to choose delegates for the general Congress and committee of safety, and to form a constitution for yourselves. Your friends here tell me that some are in doubt, whether delegates from your district would be admitted into Congress. I tell you to organize fairly, and make the experiment, and I will ensure you success at the risque of my reputation, as a man of honor or common sense. Indeed, they can by no means, refuse you : you have as good a right to choose how you will be governed, and by whom, as they had."

*Resolved*, That the contents of the said paragraphs are derogatory to the honor of Congress, are a gross misrepresentation of the resolutions of Congress therein referred to, and tend to deceive and mislead the people to whom they are addressed.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

TUESDAY, July 1, 1777.

A letter, of the 29th and 30th of June, from general Washington, at Mifflinbrook; one, of the 30th, from Jos. Trumbull, commissary-general; one, of the 19th, from B. Harrison, jun. deputy pay-master general, at Williamsburg; one, of the 28th, from Jonathan Hudson, at Baltimore; one, of this day, from James Mease, and one, of the 18th of March, from A. Lee, esq. at Vitoria, in Spain, to the committee of secret correspondence, were read: also a letter, of the 20th of June, from governor Henry, of Virginia, to the delegates from that state in Congress, was read:

*Ordered*, That the letters of the 28th, 29th, and 30th of June, from general Washington, with the papers enclosed, be referred to the committee of intelligence.

That the letter from governor Henry be referred to the board of war.

*Resolved*, That orders be sent to col. Charles Harrison, of the regiment of artillery raised in Virginia, to halt in Virginia till further orders.

*Ordered*, That a warrant issue on the treasurer at Baltimore in favor of James Mease, clothier-general, for 10,000 dollars, for the public service, he to be accountable.

*Ordered*, That a warrant for 20,000 dollars be drawn on the treasurer in favor of Jonathan Hudson, deputy pay-master at Baltimore, for public service, he to be accountable.

*Ordered*, That the letter from B. Harrison, be referred to the board of treasury, and the letter from A. Lee, to the committee on foreign affairs.

A letter, from governor Caswell, of North-Carolina, to the delegates of that state in Congress, dated Newbern, June 11th, and enclosing a bill of exchange for 700 dollars, drawn on the continental treasurer, was read:

*Ordered*, That the same be referred to the board of treasury.

The committee on the treasury reported, that they have taken into consideration the letters from governor Henry, of Virginia, Mr. Aylett, deputy commissary-general, Mr. Finnie, deputy quarter-master general, and an account of provisions purchased in Virginia, for the use of the United States; and find, that besides twenty cargoes of flour, amounting to 10282 barrels, shipped from different parts of Virginia, on continental account, by order of the commissary-general, there remains stored in different places of that commonwealth, 10676 barrels of flour, 1100 barrels of pork, and 5790 barrels of Indian corn, which, exclusive of several cargoes and expenditures not accounted for, amount to £48,107 9 3 $\frac{1}{2}$ , of which Mr. Aylett has received £23,727 2 8, and he claims a balance in his favor of £24,383 6 7 $\frac{1}{2}$ ; that this state of his accounts is collected from a rough estimate transmitted by Mr. Aylett, unattended by proofs or vouchers; that they cannot but express their apprehensions that the flour and corn which remain stored in Virginia, are in great danger of perishing, and being lost to the public from the heat of the weather, and the difficulty of transportation, unless some effectual means be speedily adopted for their preservation: Whereupon,

*Resolved*, That the accounts of provisions shipped from, and stored in Virginia, for the use of the United States, be referred to the board of war in order that the proper enquiry be made into the state of these provisions, and the most effectual means be adopted to prevent their perishing or being lost to the public:

That a warrant be drawn by the president on Benjamin Harrison, deputy pay-master general, in the southern department, for 60,000 dollars on account of his present demands, and that Mr. Aylett be informed by the board of treasury, that agreeably to the late regulations of the commissary-general's department, no money can be furnished in future for the use of his department, but through the commissary-general of purchases, to whom he must apply.

The committee on the treasury further reported, "That William Finnie, esq. deputy quarter-master general in the southern department, should have leave, agreeable to his request, to repair to Philadelphia, in order to settle his accounts with the commissioners of accounts holding their office at the treasury, under the direction of the board of treasury :'' Whereupon,

*Resolved*, That leave be granted.

*Ordered*, That 500 dollars be advanced to captain James Lee, towards recruiting the artillery, and charged to the account of Henry Knox, brigadier-general of artillery, the same being in full of a bill drawn in his favour, by the said brigadier-gen. Knox, dated camp, at Quibbletown, 25th June, 1777.

*Ordered*, That there be advanced to Jacob Blount, esq. appointed paymaster to the North-Carolina troops by that state, or to his deputy William Blount, 24,000 dollars for the pay of the said troops, for which the said paymaster is to be accountable.

*Ordered*, That there be advanced to captain James Marbury, of the 3d battalion of Maryland continental troops, commanded by colonel Mordecai Gist, for the use of a detachment of the said battalion under his command, and to be charged to the said battalion, 204 dollars: and for the use of a detachment also under his command, of one of the sixteen battalions, commanded by Nathaniel Gist, 260 dollars, to be charged to the said battalion: and for the use of a detachment also under his command, of the 4th Maryland continental battalion, commanded by colonel J. Carvil Hall, to be charged to that battalion, 55 dollars: and for the use of a detachment also under his command of the 7th Maryland continental battalion, commanded by colonel John Gunby, 40 dollars, to be charged to that battalion.

*Ordered*, That there be advanced to Dr. W. Shippen, director-general of the military hospital, 25,000 dollars, for which he is to be accountable.

*Ordered*, That the letter from Joseph Trumbull, esq. commissary-general, which was read this morning, be referred to a committee of three:

The members chosen, Mr. Dyer, Mr. Sergeant, and Mr. Roberdeau.

Congress proceeded to the election of a deputy commissary-general of issues, in the room of Mr. Irwin, and, the ballots being taken, Robert Hoops was elected.

Congress proceeded to the election of a physician-general of the hospital in the middle department, in the room of Dr. Jones, and, the ballots being taken,

Dr. Benjamin Rush was elected.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the part of governor Trumbull's letter, of the 12th of June, which relates to supplying the state of Connecticut, with a number of arms, be referred to general Washington.

*Resolved*, That the committee on Indian affairs be empowered to receive from Mr. Levy, the wampum in his hands, belonging to the public, and to dispose of the same for the public service.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

### WEDNESDAY, July 2, 1777.

*Ordered*, That the letter, of the 30th June, from colonel G. Morgan, be referred to the board of treasury.

The committee to whom was referred the letter of June the 30th, from Joseph Trumbull, esq. commissary-general, brought in a report which was taken into consideration; Whereupon,

*Resolved*, That the deputy commissaries-general of purchases, respectively, authorized to make reasonable allowances, to such of the assistant-



commissaries, as are employed in buying and collecting live stock for all extraordinary travelling expenses, which they may be necessarily put to, not exceeding 1 1-3d dollar per day for such additional allowance:

That there be paid to the assistant-commissaries of issues, each, 60 dollars a month.

*Resolved*, That the following be the form of the commission, to be filled up according to the several stations of the several commissaries of purchases, and issues, viz.

### IN CONGRESS.

The delegates of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, to——We reposing special trust and confidence in your patriotism, conduct, and fidelity, do, by these presents, constitute and appoint you to be——in the army of the United States, raised for the defence of American liberty, and for repelling every hostile invasion thereof: you are therefore, carefully and diligently, to discharge the duty of——by doing and performing all manner of things thereunto belonging. And you are to observe, and follow such orders, and directions, from time to time, as you shall receive from this, or a future Congress of the United States, or committee of Congress for that purpose appointed, or commander in chief for the time being of the army of the United States, or any other your superior officer, according to the rules and discipline of war, in pursuance of the trust reposed in you. This commission to continue in force until revoked by this, or a future Congress.

Dated at——

By order of Congress,

*President.*

Attest.——

Congress proceeded to the election of a surgeon-general of the hospital of the middle department, in the room of Dr. Rush; and, the ballots being taken, Dr. William Brown was elected.

*Resolved*, That a member be added to the board of war:

The member chosen, Mr. Duer.

*Resolved*, That to-morrow be assigned for taking into consideration, the articles of confederation.

Congress took into consideration the report on monsieur du Coudray's affairs; Whereupon,

The committee on foreign applications laid before Congress the following papers:

1. Articles of agreement, entered into between Silas Deane, on the one part, and the sieur Philippus Charles John Baptist Tronson du Coudray, adjutant-general of artillery, in the service of France, dated 11th of September, 1777.

2. Compte rendu a Messr. les deutes de l'honorable Congress, des Etats Unie d'Amerique, par Monsr. du Coudry; with a translation.

3. A bundle of original papers referred to in the foregoing account.

4. An agreement entered into between Benjamin Franklin and Silas Deane, in behalf of the United States, and the chevalier du Portail, lieutenant-colonel in the royal corps of engineers of France, monsieur de Lamoignon, major, monsieur de Gouvion, captain, and monsieur La Radiere, major in the said corps, together with observations thereon, both in French and English.

And the said committee reported, as their opinion, that the consideration of these several agreements and papers should be referred to a committee of the whole Congress; Whereupon,

*Resolved*, That the said agreements, &c. be referred to a committee of the whole. Congress was then resolved into a committee of the whole, to con-

sider the foregoing papers ; and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration, the agreements and papers referred to them, but, not having had time to go through the same, desired leave to sit again.

*Resolved*, That Congress, on Saturday next, resolve itself into a committee of the whole, to consider farther the papers before mentioned.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, July 3, 1777.

A letter, of the 1st, from general Washington, at Middlebrook ; one, of the 25th of June, from general Schuyler, at Saratoga, with sundry papers enclosed ; one, of the 2d, from Joseph Trumbull ; one, of the 30th of June, from general Putnam, at Peekskill ; one, of the 22d of June, from Dr. Potts, at Ticonderoga ; one, of the 16th of June, from John Avery, deputy secretary, dated council-chamber, Boston ; and one, of the 1st of July, from general Sullivan, at Middlebrook ; were read :

*Ordered*, That the letters from general Washington and general Schuyler, with the papers enclosed, be referred to the board of war ; that so much of general Washington's as relates to money matters, and the letter from Joseph Trumbull, be referred to the board of treasury, and that the letter from Dr. Potts, be referred to the medical committee.

A letter, of the 22d of June, from William Greene, speaker of the general assembly of Rhode-Island and Providence Plantations, to the delegates in Congress from that state, was read :

*Ordered*, That it be referred to the board of treasury.

The committee to whom the letter from David Hall and others, with the papers accompanying the same, was referred, brought in a report ; Whereupon,

*Resolved*, That the president of the state of Delaware, be requested to order two hundred of the militia of that state, to join and co-operate with colonel Richardson's regiment :

That it be earnestly recommended to the legislative or executive authority of the state of Delaware, to adopt and pursue the most vigorous and effectual measures for checking the spreading of disaffection in that part of the state :

That for accomplishing this end Congress will afford to the state of Delaware every assistance by the continental troops ordered into the county of Sussex, and by all such other measures as may be found to be necessary.

*Resolved*, That the board of war be directed to take effectual measures for completely arming, as speedily as possible, colonel Richardson's battalion, which is ordered into Sussex county in the state of Delaware.

*Ordered*, That a copy of the foregoing report and resolutions, and also of the letter of the 24th of June, from David Hall and others, together with copies of the depositions accompanying the same, be sent to the president of the state of Delaware, and to colonel Richardson.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Saturday.

#### SATURDAY, July 5, 1777.

A letter, of the 25th June, from general St. Clair, at Ticonderoga ; one, the 1st of July, from major-general Green, and one, of the same date, from brigadier-general Knox ; one, of the 30th of June, from brigadier-general Wayne ;

A petition from col. M. Hazen, and one, from Robert Anderson, were read :

*Ordered*, That the letter from general St. Clair, with the papers enclosed, be referred to the board of war :

That the petition from colonel Hazen, with the papers accompanying the same, be referred to the board of treasury.

The board of treasury reported, that they have had under consideration the petition of captain William Jenkins, referred to them the 11th of October last, and he having been qualified to the truth of the facts therein set forth, they are of opinion that he should be paid 180 dollars, which he had received for the payment of his company and lost in the retreat from the siege of Quebec.

The committee on the treasury farther reported,

That a warrant should be drawn on Thomas Smith, esq. commissioner of the loan-office, in the state of Pennsylvania, in favor of John Gibson, esq. auditor-general, for 100,000 dollars, he to be accountable.

That another warrant be drawn on the auditor-general, in favor of Richard Ellis, for 700 dollars, being in full of a bill drawn by his excellency governor Caswell, of North-Carolina, in part of the expenses of horses and carriages and other necessaries furnished colonel Derford and five other French gentlemen of his party on their journey from thence to Philadelphia, to be charged to the said governor:

That there be advanced to colonel Flower, commissary-general of military stores, 10,000 dollars, for the use of his department, he to be accountable.

That a warrant be drawn by the president on Benjamin Harrison, jun. esq. deputy pay-master general in the southern department, in favor of colonel William Aylett, deputy commissary-general in the said department, for 54,000 dollars, the said colonel Aylett to be accountable:

That there should be advanced to Jacob Mehs, lieutenant in captain Anderson's company of the Pennsylvania regiment commanded by col. Walter Stewart, 200 dollars, which is to be charged to the said regiment:

That a warrant be drawn in favor of the board of war for 524,000 dollars, to be transmitted by them to the pay-master general for the pay of the army:

That a warrant be drawn on the commissioner of the loan-office for the state of Rhode-Island, to pay to the order of the general assembly of the said state, 190,000 dollars, for which they are to be accountable:

That there be advanced to the delegates of the state of Rhode-Island, 10,000 dollars, to enable them to answer a bill drawn on them for the use of the said state, and for which that state is to be accountable:

*Ordered*, That the said sums be paid or advanced, or warrants drawn.

A letter, of the 1st, from Lux and Bowley, Samuel and Robert Purviance and David Stewart, directed to Robert Morris, esq. was laid before Congress and read:

*Ordered*, That it be referred to the secret committee.

Whereas, the secret committee, by the absence of a number of members, is deduced to two,

*Resolved*, That a new committee, to be styled, "The committee of commerce," be now appointed, to consist of five members; that this committee be vested with the powers granted to the secret committee, and that the members of the late secret committee be directed to settle and close their accounts and transfer the balances to the committee of commerce:

The members chosen, Mr. R. Morris, Mr. P. Livingston, Mr. W. Smith, Mr. Heyward, and Mr. Gerry.

*Ordered*, That the case of Nicholas Davis, formerly referred to the secret committee, be referred to the committee of commerce.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due,

To John Coats, for his musket, lost after the battle of Princeton, he having been disabled, 14 60-90ths dollars:

To Frederick Bicking, for 142 reams of paper for continental bills of credit, 1420 dollars :

To captain Thomas Landsdale, late a lieutenant in captain Howard's company of colonel Hall's battalion of Maryland flying-camp, for provisions and necessaries supplied 365 men, discharged from New-York, in January last, 118 15-90ths dollars :

To the owners of the powder-house, for storage of 434½ barrels of powder, 57 81-90ths dollars, to be paid to the widow Spring :

*Ordered*, That the said accounts be paid.

A deposition of Thomas M<sup>c</sup>Arthur, taken before Joshua Elder, one of the justices of the peace for the county of Lancaster, in the state of Pennsylvania, respecting the conduct of Davies, of the city of Philadelphia, employed in purchasing horses, was laid before Congress and read :

*Ordered*, That it be referred to the board of war.

On application from the marine committee,

*Ordered*, That a warrant for 40,000 dollars be drawn on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of John Bradford, esq. and a warrant for 5000 dollars on the deputy pay-master general, in Virginia, in favor of John Tazewell, the continental agent, for the use of the frigate Virginia ; and another warrant for 20,000 dollars on the commissioner of the loan-office in the state of Connecticut, in favor of governor Trumbull, for the use of the frigates building there, the same being in part of the money heretofore granted to the marine committee.

A copy of a letter from colonels Hale, Scammell, and Cilley, of the New-Hampshire battalions, to the executive power of that state, was laid before Congress and read :

*Ordered*, That it be referred to the board of war ; who are directed to take the most effectual measures and give the necessary orders for arming and clothing the troops in the northern department.

Congress took into consideration the letters from major-general Green and brigadier-general Knox ; and, after debate,

*Resolved*, That the farther consideration thereof be postponed to Monday.

A letter, from brigadier-general Moore, was read :

*Ordered*, That it be referred to the board of treasury.

The several matters to this day referred, being postponed,

*Adjourned* to ten o'clock on Monday.

#### MONDAY, July 7, 1777.

A letter, of the 5th, from general Washington, with a letter to him from G. Saltonstall, and a petition from Seth Warner, and other officers, were read :

*Ordered*, That the letter from general Washington, with the letter enclosed, be referred to the board of treasury ; that the petition from Seth Warner and others, lie on the table.

A petition from the rev. F. Allison, J. Ewing, and W. Marshall, was read :

*Ordered*, That it be referred to a committee of three :

The members chosen, Mr. Roberdeau, Mr. J. Adams, and Mr. J. B. Smith.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That William Buchanan, esq. deputy commissary-general of purchases for the middle department, be directed to appoint a proper person to supply the regiment commanded by colonel Richardson, with provisions, during its continuance in Maryland, and the state of Delaware :

That in case Mr. Buchanan should decline acting as deputy commissary of the department, the governor and council of Maryland, be authorized and requested to make the appointment of a deputy commissary for the supplying colonel Richardson's battalion with provisions, during their stay in Maryland, or the state of Delaware.

*Ordered*, That the remainder of the said report be referred to the board of treasury, in order that they may direct or point out the mode of paying colonel Richardson's battalion.

The board of war brought in another report; Whereupon,

*Resolved*, That a letter be written to the council of safety of the state of New-York, informing them of the distress which the troops at Ticonderoga are in for want of blankets, and requesting them to use their exertions in collecting and forwarding in the most expeditious manner to that post 1500 blankets:

That the faith of Congress be plighted to the state of New-York for replacing the blankets so furnished out of the first importation of that article on the account of the continent in any part of the United States.

A petition from Robert Galbreath was read, and ordered to lie on the table.

Congress resumed the consideration of the letters from generals Sullivan, Green, and Knox, all dated the first of July; Whereupon, Congress came to the following unanimous resolution:

That the president transmit to general Washington copies of the letters from generals Sullivan, Green, and Knox, to Congress, with directions to him to let those officers know that Congress consider the said letters as an attempt to influence their decisions, an invasion of the liberties of the people, and indicating a want of confidence in the justice of Congress; that it is expected by Congress the said officers will make proper acknowledgments for an interference of so dangerous a tendency; but, if any of these officers are unwilling to serve their country under the authority of Congress, they shall be at liberty to resign their commissions and retire.

The committee on the treasury reported, that a warrant should be drawn by the treasurer in favor of Mons. the Sieur Philippus Charles John Baptist Trosson du Coudray, for 1000 dollars, for which he is to be accountable:

*Ordered*, That the said warrant be drawn.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Messrs. Caldwell & Co. for sundry medicines delivered William Smith, continental druggist, for the use of the United States, 666 60-90 dollars:

*Ordered*, That the said account be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## TUESDAY, July 8, 1777.

A letter, of the 7th, from gen. Washington, at Morristown; and one, of the 7th, from Joseph Trumbull, esq. were read.

*Resolved*, That brigadier general Nash be directed immediately to repair with the North-Carolina and Virginia forces now in and about Philadelphia, to Billingsport, there to remain till farther orders; and that these troops, with the militia from Pennsylvania and New-Jersey already ordered to that place, be employed in completing the works for the defence of the river Delaware.

*Ordered*, That Michael Hillegas, esq. continental treasurer at Baltimore, forward, under a proper guard, 300,000 dollars to the state of North-Carolina, being in part of the 500,000 dollars voted that state the 5th day of February last.

*Resolved*, That the committee of the whole Congress be discharged from so much of the business referred to them, as relates to the agreement entered into between B. Franklin and Silas Deane, esqrs. in behalf of the United States, and the chevalier du Portail, Mons. de Laumoy, Mons. de Glevion, and Mons. de la Radiere.



The committee on foreign applications brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That lieutenant-colonel Mottin de la Balme be appointed inspector-general of the cavalry of the United States of America, with the rank and pay of colonel :

That Mons. Vallenais be appointed an aid to Mons. de la Balme, with the rank and pay of a captain of cavalry.

*Resolved*, That the treaty made by the commissioners in France, on the 13th day of February last, be confirmed as far as it respects the chevalier du Portail, Mons. de la Radiere, and Mons. de Gouvion ; the first to be a colonel, the second a lieutenant-colonel and the third major of engineers.

Congress resumed the consideration of the report of the board of treasury, of the 25th of June ; Whereupon,

*Resolved*, That colonel G. Morgan be authorized and directed to deliver so much of the provisions laid up in magazines at Fort-Pitt, as he shall, from time to time, judge sufficient for the different garrisons in his department, always taking the commanding officer's receipts for such provisions ; and that he make a reasonable allowance to a discreet person in each of the said garrisons to attend the issuing the said provisions, and to take every precaution in his power to prevent waste and fraud in issuing such provisions.

*Resolved*, That major-gen. Gates be directed to repair to head-quarters, and follow the directions of general Washington.

The delegates of North-Carolina laid before Congress a letter from Adam Boyd :

*Ordered*, That it be referred to the board of war, who are directed to take into consideration the case of the regimental armorers for the North-Carolina forces, and report thereon.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to lieutenant David Edwards, and Amos Willet, serjeant, for their expenses and horse-hire bringing Elihu Hand, a suspected person, prisoner from Cape-May to Philadelphia, by order of general Arnold, \$1 dollars :

*Ordered*, That the said account be paid.

On a report of a committee of the treasury,

*Ordered*, That a warrant be drawn on Michael Hillegas, esq. continental treasurer, in favor of Clement Holliday, esq. pay-master of the Maryland battalion of continental troops commanded by colonel Richardson, for 10,000 dollars, for the use of the said battalion, and for which the said pay-master is to be accountable.

*Resolved*, That Robert Harrison, esq. be appointed to muster the said battalion while employed in the service for which it is now destined ; and that he be allowed a reasonable compensation for every muster which he shall perform :

That while the said battalion continues in such service colonel Richardson shall certify the pay-rolls of the several companies of the said battalion, and his certificate shall be a sufficient voucher to the pay-master.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, July 9, 1777.

A petition from John White, Charles Whittesly, and Othniel Phelps, regimental quarter-masters, was read :

*Ordered*, That it be referred to the board of war.

A letter, of the 7th, from R. L. Hooper, deputy quarter-master general, and a letter of the 5th, from Joseph Trumbull, esq. were read :

*Ordered*, That they be referred to the board of treasury.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the resolution of Congress, relative to the measures taken for the defence of Billingsport, be transmitted to the executive council of the state of Pennsylvania, and that they be desired to go on with the assistance Congress have afforded them, to complete the works at that place, with all expedition, agreeable to the report of the committee referred to them, on the 11th June last.

*Ordered*, That 300 dollars be advanced to the secretary of the board of war, for contingent expenses, he to be accountable.

*Ordered*, That the clothier-general supply the Indians now in Philadelphia, with presents to the amount of 100 dollars.

*Resolved*, That the secret-committee be authorized and directed to unload and dispose of the three cargoes, which were shipped last spring, and are still in the river Delaware, and to place the amount of the sales to the credit of the United States.

*Resolved*, That the bills taken in the several states from the officers who are, or have been prisoners, in lieu of the subsistence money ordered to be advanced them by Congress, be transmitted to the board of treasury in Philadelphia, for the use of the United States.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, July 10, 1777.

A petition from Joseph Belton, and one from capt. Joseph Lees, were read:

*Ordered*, That the former be referred to the board of war, and the latter to the marine-committee.

The secret-committee laid before Congress a letter of the 8th June, from John Dorsius, for himself and Levinus Clarkson, and a bill of exchange, drawn by Alexander Ross on John Dorsius, in favour of Willing, Morris & Co.

*Ordered*, That the same be referred to the board of treasury, in order for paying here the before mentioned bill, and directing Mr. Dorsius to apply the amount of the said bill in discharge of the debts incurred in consequence of orders from the secret committee, and also to enable the agents of the secret committee, in South-Carolina, to receive all the money arising from the sale of the state lottery-tickets in that state, towards discharging the debts aforesaid.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due, to Seth Griffin, for riding express, from Bedford to New-London, and from thence to Philadelphia and back, and for his expenses during his detention here, 108 dollars:

To James M'Culloch, for riding express from Fort Henry to Pittsburg, 13 dollars:

To Mons. Lotbinier, a Canadian chaplain, for his pay and rations, from the 10th of June to the 10th of July, being one month, 41 30-90 dollars:

To Henry Baker, for provisions supplied continental troops at Winchester, in Virginia, and on their march, and for his services issuing the same, 49 69-90 dollars:

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 10,000 dollars be paid to Robert Lettis Hooper, or his order, on account of flour and beef purchased for the use of the army, agreeable to a bill of Joseph Trumbull, commissary-general, in his favour, on the president of Congress, dated 5th of July instant:

That 2000 dollars be advanced to colonel Armand de la Rouerie, for the recruiting service; for which he is to be accountable.

Congress was resolved into a committee of the whole, to consider farther the contract made with Mons. du Coudray, and the papers referred to them; and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, but, not having yet come to a conclusion, desire leave to sit again.

*Resolved*, That Congress be resolved to-morrow into a committee of the whole, to consider farther the contract and papers aforesaid.

*Ordered*, That the several committees who have any letters or papers tending to throw light on the subject before the committee of the whole, lay the same before Congress to-morrow, that they may be referred to the said committee.

The delegates of North-Carolina laid before Congress a resolution, passed by the senate and house of commons of that state, that the artillery company in that state, may be taken into the pay of the continent:

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 16,087 dollars be advanced to major Charles Sims, of the 12th Virginia regiment, commanded by colonel William Russell, to pay off a part of the said regiment, now ordered on service to Billingsport; the same to be charged to the regiment.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *July* 11, 1777.

A letter, of the 10th, from general Washington, at Morristown, and one, of the 9th, from Joseph Trumbull, enclosing a copy of a letter, of the 22d of June, from W. Aylett, were read.

Congress resumed the consideration of the report of the board of war, of the 16th June; Whereupon,

*Resolved*, That Mr. John Baynton, be appointed deputy pay-master general to the troops and garrisons on the frontiers of Virginia and Pennsylvania, and that such parts of his letter to the board of war, as relate to money, be referred to the board of treasury.

*Ordered*, That an extract of general Washington's letter of the 10th, so far as it relates to general Arnold, be sent to him, and that he be directed to repair immediately to head-quarters, and follow the orders of general Washington.

*Ordered*, That the letter from general Washington, with the papers enclosed, be referred to the board of war, and that they be directed to confer with the general officers in and near Philadelphia.

Congress was resolved into a committee of the whole, to consider farther the contract made with Monsieur du Coudray, and the papers referred to them; and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have made some progress, but, not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress be to-morrow resolved into a committee of the whole, to consider farther the papers aforesaid.

A letter, of the 9th, from general Washington, at Morristown; one, of the same date, from Joseph Trumbull; one, of the 10th, from Charles Stewart; one, of the 5th, from general Schuyler, enclosing three letters from general St. Clair, at Ticonderoga; one, dated the 30th of June; one, the 2d, and one, the 3d of July, and the proceedings of a court-martial, on serjeant cholas Kent, were read:

*Ordered*, That the letter from general Schuyler, with the papers enclosed, be referred to the board of war.

*Resolved*, That a committee of three be appointed to proceed immediately to the army under the command of general Washington; that they be authorized and directed to make a diligent enquiry into the state of the army, particularly into the causes of the complaints in the commissary's department, and to make such provision as the exigency and importance of the case demands; that they report the whole of their proceedings for the consideration of Congress, with as much despatch as possible:

The members chosen, Mr. P. Livingston, Mr. Gerry, and Mr. Clymer.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### SATURDAY, July 12, 1777.

A petition from Monsieur du Coudray, was read:

*Ordered*, That it be referred to the committee of the whole Congress.

A petition from Samuel Culbertson, was read:

*Ordered*, That it be referred to the board of treasury.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That the amount of Daniel Barry's account, for his services as an interpreter to sundry French officers, from North-Carolina to Philadelphia, and for his expenses here, and returning home, is £ 69 13 10, of which he received at Newbern £ 20, and from governor Henry, of Virginia, £ 10, and that the balance due to him is £ 39 13 10, equal to 105 dollars, 76-90ths.

*Ordered*, That the said balance be paid.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 500 dollars be paid to Gerard W. Beekman, in discharge of general Washington's draught on William Palfrey, esq. pay-master general, in favor of Nathaniel Sacket, the said bill being transferred to the said Beekman, and to be charged to William Palfrey, esq.

That there be advanced to Jacob Blount, esq. pay-master of the North-Carolina battalions, and to be delivered to William Blount, esq. or his order, 10,000 dollars for the pay of the said battalions, and for which the said pay-master is to be accountable; the same to issue by two warrants, one for 6500 dollars and the other for 3500 dollars:

That there be advanced to Dr. William Shippen, director-general of the hospitals, 8000 dollars, for which he is to be accountable:

That Alexander Ross's bill on John Dorsius, in favor of Willing, Morris & Co. dated Boston, June 24th, for 10,000 dollars, be taken up by the secret committee on the credit of the said John Dorsius, who acts as agent of the said secret committee; and that a warrant issue from the president on the loan-office of Massachusetts-Bay, for that sum in favor of Willing, Morris & Co. the secret committee to be charged therewith.

Congress was resolved into a committee of the whole, to consider farther the contract made with Mons. du Coudray, and the papers referred to them; and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have come to sundry resolutions thereon, which he was ordered to report, but, not having come to a conclusion, desired leave to sit again.

The resolutions agreed to by the committee of the whole were read:

*Ordered*, To lie on the table.

*Resolved*, That Congress be on Monday next resolved into a committee of the whole, to consider farther the papers referred to them.

A letter, of the 11th and 12th, from general Arnold, was read.

The board of war brought in a report, which was taken into consideration; Whereupon,

**Resolved**, That general Washington be informed that there are about 1400 men at Philadelphia and Billingsport, ready to march at a moment's warning, but wait his orders; which he will please, on receipt of the express, to transmit to brigadier-general Nash:

That it be strongly recommended to the governments of the state of New-York, and the eastern states, to send such reinforcements of militia to the armies under general Washington, or general Schuyler, as shall be, from time to time, requested:

That serjeant Nicholas Kent, condemned to be shot for desertion to the enemy, and recommended to the mercy of Congress by general Schuyler, and a number of other reputable persons, be, notwithstanding the atrociousness of his crime, pardoned; as, there are peculiar circumstances of mitigation attending his case:

That Congress approve of the commissioners for Indian affairs purchasing Indian goods at Boston, as mentioned in gen. Schuyler's letter of the 5th, and that he be informed no supply of blankets or strouds can be sent him from hence:

That a continental muster-master be immediately ordered to muster the militia employed on the works at Billingsport:

**Ordered**, That the remainder of the report lie for farther consideration.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, July 14, 1777.

A letter, of the 12th, from general Washington, at Pumpton-Plains; one, of the same date, from general Sullivan, at Ramapough; and one from col. Spotswood, of the 10th regiment of Virginia forces, were read:

**Ordered**, That the letter from colonel Spotswood be referred to the board of war.

**Resolved**, That general Nash proceed immediately with the Virginia and North-Carolina troops, together with col. Proctor's corps of artillery, to join general Washington.

Congress took into consideration the letter of the 11th and 12th, from gen. Arnold; and, after debate,

**Resolved**, That it lie for farther consideration.

A letter, of this day, from general Arnold, was read.

**Ordered**, That the letter from general Washington be referred to the committee of intelligence, and afterwards to the board of war.

A letter from the governor of Virginia, to the delegates of that state, was read before Congress and read:

**Ordered**, That it be referred to the board of treasury.

**Ordered**, That the letter from gen. Sullivan be referred to the board of war.

**Ordered**, That two months' pay be advanced to Mons. de la Balme, and Mons. Vallenais, his aid, each to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due for the pay of four companies of city guards, from the 1st of June to the 2d of July instant, and to be paid to col. Lewis Nicola, 245 2-90 dollars:

**Ordered**, That the said sum be accordingly paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, July 15, 1777.

A memorial from James Byers, and one, from Herman Zedwitz, and an application from col. Proctor, were read:



*Ordered*, That the first be referred to the marine committee, and the two last to the board of war.

*Ordered*, That the board of treasury prepare and report to Congress, a draught of instructions to the pay-master and deputy pay-masters general of the respective departments for regulating the advances to be made to the recruiting officers of the battalions in the service of the United States.

Congress was resolved into a committee of the whole, to consider farther the contract made with Mons. du Coudray, and the other papers referred to them; and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, but have come to no farther resolution thereon.

*Resolved*, That a committee of three be appointed to confer with Mons. du Coudray; that they inform him, Congress cannot comply with the agreement he has entered into with Mr. Dean; but that sensible of the services he has rendered these states, and having a favorable opinion of his merit and abilities, they will cheerfully give him such rank and appointments as shall not be inconsistent with the honor and safety of these states, or interfere with the great duties they owe to their constituents.

*Ordered*, That the appointment of the committee be postponed till to-morrow

A plan of the works at Billingsport was laid before Congress:

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That there be paid to Matthew Irwin, agent to the commissary-general of purchases, 50,000 dollars, in discharge of a bill drawn by him on the president of Congress, dated 27th June, towards supplies for the army, the said commissary-general to be accountable:

That there be advanced to capt. William Beal, of the 6th Maryland regiment, commanded by col. Otho Williams, 400 dollars, for the use of a detachment of the said regiment, now on their march to join the army, and for which the said regiment is to be charged:

That there be advanced to major-general Arnold, 2700 dollars, for which he is to be accountable:

That there be advanced to Mr. John Baynton, deputy pay-master general for the troops on the western frontiers, 15,000 dollars, for the pay of the said troops, and for which he is to be accountable:

That there be advanced to capt. Jacob Weaver, of an independent company of foot, raised in Pennsylvania for the continental service, and stationed at Lancaster, 2000 dollars, for which he is to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, July 16, 1777.

Congress proceeded to the election of a committee to confer with Mons. du Coudray, and, the ballots being taken, the following gentlemen were elected:

Mr. Heyward, Mr. J. Adams, and Mr. Lovell.

The marine committee brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the pay and subsistence of surgeons in the navy, be equal to the pay and subsistence of the lieutenants of the vessels to which they shall respectively belong.

*Resolved*, That the marine committee be empowered to fit out two ships at the continental expense.

Congress took into consideration the report of the board of war of the 23d of June last; Whereupon,

*Resolved*, That, for carrying into execution the resolve respecting colonel Nicola's corps of invalids, the following plan, for raising one company, be adopted for raising the whole of the said corps:

1. That the director-general of the continental hospital be desired to give directions to the Physicians and surgeons, in the different departments at a reasonable distance from Philadelphia, that, before they discharge any serjeants, corporals, or private men from the hospitals as unfit for service, they consider, whether such men are actually, or likely soon to be, capable of doing garrison duty; and, if thought so, to mention it in the discharge, that they may not be entirely discharged from the service, but transferred from the regiment to which they actually belong, to that of invalids; and in case such men are at a distance from their respective regiments, that the director or steward of each hospital send such men to Philadelphia, in the best manner circumstances will admit:

2. That notice be sent, by the board of war, to the generals commanding the armies, of the raising a corps of invalids, and that they be desired to give orders to the officers commanding regiments, that, in case they have any serjeants, corporals, drummers, or private men, deemed incapable of doing field-duty, such men be examined by the director of the hospital or some other physician or surgeon, and, if judged fit for garrison duty, that they be not discharged, but transferred to the invalid corps, and sent to Philadelphia as soon as possible.

Men having only one leg or one arm each, if otherwise capable of doing garrison duty, are to be deemed proper recruits for this corps.

3. That the following advertisement be published in the several newspapers as soon as possible, viz. "War-Office, June, 1777: Congress, being desirous to make provision for such men as suffer in the military service of the United States, have directed a regiment of invalids to be immediately raised for the reception of such as have already been, or may, in future, be rendered, by wounds or disorders, incapable of doing field-duty, but are yet fit for garrison service. Notice is hereby given, that all persons in Philadelphia, or within 20 miles round, who are under continental half-pay, on account of incapacities contracted in the service, must, within fifteen days, repair to Philadelphia and shew themselves to colonel Nicola, in Front-street, four doors below the Coffee-house, that, if judged capable of duty, they may be put on full pay. All other persons, who have served in the armies of the United States, within the above description, though not on half-pay, may present themselves, and, if judged capable, they will be immediately received. All such as are above 20 from Philadelphia must apply to the nearest continental-general, field-officer, physician or surgeon, who are desired to forward such as they judge fit for the corps of invalids. Officers who, from wounds or disorders contracted in the service, are rendered unfit for field-duty, must signify their pretensions, with certificates from continental physicians or surgeons to the board of war. As this corps is intended, not only as a provision for disabled officers and soldiers, but as a school for propagating military knowledge and discipline, no officers need apply but such as produce ample certificates of their having served with reputation, and having supported good characters, both as citizens and soldiers. Officers and soldiers who have engaged during the war will be preferred."

*Resolved*, That Enoch Welsh be appointed an ensign in the corps of invalids.

*Ordered*, That 880 dollars be advanced to captain Matthews, who is under orders to go to Virginia on the recruiting service, and that the same be charged to the 4th battalion of Virginia forces, commanded by lieutenant-colonel Lawson.

A letter, of the 15th, from John M'Kinley, president of the state of Delaware, was read.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That 20,000 dollars be advanced to colonel Benjamin Flower, commissary-general of military stores, for which he is to be accountable :

That there be advanced to Mr. Anthony Butler, agent to major-general Mifflin, quarter-master general, 100,000 dollars, agreeable to the quarter-master general's draught on the president of Congress, dated the 10th instant, and, for which money, the quarter-master general is to be accountable :

That there be advanced to the president and supreme executive council of the commonwealth of Pennsylvania, on their application for that purpose, 60,000 dollars, for which the said commonwealth is to be accountable.

The board of war, to whom the plan of the works at Billingsport was referred, brought in a report, which was considered ; Whereupon,

*Resolved*, That Mons. du Coudray's plan of the 14th inst. of the fort at Billingsport, be approved and immediately carried into execution.

A letter, of the 14th, from general Washington, at Vanauler's, eight miles from Pumpton-Plains ; and one, of the 6th, from Richard Varick, deputy muster-master general in the northern department, were read :

*Ordered*, That the letter be referred to the board of war.

*Ordered*, That the board of war lay before Congress as soon as possible a list of the foreign officers in the service of the United States, with an account of the relative rank they held in the armies of the king of France, or other European power, and the rank they now hold.

A memorial from Monsieur du Portail and other engineers, together with observations on the treaty made with them in France, were read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *July 17, 1777.*

A letter, of the 16th, from general Washington, dated camp, near the Clove, and of this day from Monsieur du Coudray, were read.

The committee appointed to confer with Monsieur du Coudray, reported verbally, that they have executed that business, and communicated to him the resolution of Congress :

*Ordered*, That the said committee take into consideration, the situation of Monsieur du Coudray, and report what proposals it will be proper, in their opinion, for Congress to make him :

*Resolved*, That two more members be added to the said committee :

The members chosen, Mr. Morris and Mr. Wilson.

A memorial from a committee of the trustees of the college in New-Jersey, was read :

*Ordered*, That it be referred to the board of war.

Monsieur du Coudray, having applied by a letter to the president for the articles of agreement entered into between him and Mr. Deane, and the bundle of original papers referred to in his account, which he delivered to the committee on foreign applications, and which were by them laid before Congress :

*Ordered*; That the said papers be delivered to him by Mr. Lovell, one of the members of the committee on foreign applications.

*Ordered*, That a letter be written to the executive powers of the states not represented in Congress, informing them, that the confederation of the states, and several other important matters, are put off for want of a full representation of all the states ; and earnestly recommending it to them, to send a sufficient number of members to represent them as soon as possible.

Congress took into consideration the memorial of Monsieur du Portail, and the other engineers ; and, thereupon,

*Resolved*, That the prayer of the said memorial, for a rank higher than that

agreed on in the treaty made with them by Messrs. Franklin and Deane, at Paris, be not complied with.

*Ordered*, That the board of treasury examine the accounts of the said engineers, and report a draught of money in their favour.

A memorial from baron Holtzendorf, together with a treaty made with him by Silas Deane, esq. at Paris, 25th November, 1776, was read, and, the same being taken into consideration, it was, thereupon,

*Resolved*, That the said treaty be agreed to so far only as to make the said baron Holtzendorf, a lieutenant-colonel in the service of the United States, and that his pay commence from the date of the said agreement.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That in lieu of the advance ordered on the 12th to be made to Dr. W. Shippen, director-general of the hospital, a warrant be drawn on the loan-officer in the state of Connecticut, in his favour, for 8000 dollars, for which the said Dr. Shippen is to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to captain Jacob Fauns, of lieutenant-colonel John Lawrence's battalion of the flying-camp, for subsistence of the recruits of his company while recruiting, from the 27th August, to the 20th September, 1776, 56 37-90 dollars:

To James Aitken, his pay and rations as chaplain to the 4th North-Carolina regiment, from the 1st July to the 14th August, being one month and an half, at 41 1-3d dollars per month; also, an allowance of 2 dollars a day for 30 days, allowing him for his expenses returning to North-Carolina, amounting in the whole to 122 dollars:

*Ordered*, That the said accounts be paid.

Congress took into consideration the report of the board of war of the 2d and 3d instant; Whereupon,

*Resolved*, That general Spencer be informed, in answer to his letter of the 20th May, that Congress confirm the appointment by him of William Peck, esq. deputy adjutant-general to the militia and state troops of Rhode-Island, kept in continental pay; that, for money to pay the said troops, he is to make application to Ebenezer Hancock, esq. at Boston, deputy paymaster-general to the troops in the eastern-department; and that, as the quarter-master general has the appointment of all his deputies, application is to be made to him for the appointment of a deputy quarter master general.

*Resolved*, That Congress approve of general Schuyler's conduct as to captain Whitecomb's corps of rangers, and that 3066 2-3d dollars, the sum the general has paid over the usual bounty allowed by Congress, be charged to the state of Massachusetts-Bay; and that the corps be considered as part of their quota of continental troops:

That Congress approve and ratify general Schuyler's engagements, to the men draughted out of the regiments at Ticonderoga, to act as artillery men:

That general Schuyler be directed to inform the French gentlemen mentioned in his letter of the 25th June last, that Congress will promote them, when they receive authentic intelligence of their meriting promotion by some signal services; and that, in the mean time, general Schuyler be empowered to grant them such pay as he shall think they respectively deserve, not exceeding that of a captain.

*Ordered*, That in consideration of the scarcity of salt, and the quantity necessary for the supply of the army, the committee of commerce take the most effectual and speedy measures for importing, into different parts of this continent, large quantities of that article, and that the commissary-general of purchases be informed of this order.

*Ordered*, That 20,000 dollars be advanced to colonel Benjamin Flower, commissary-general of military stores, for which he is to be accountable:

That there be advanced to Mr. Anthony Butler, agent to major-general Mifflin, quarter-master general, 100,000 dollars, agreeable to the quarter-master general's draught on the president of Congress, dated the 10th instant, and, for which money, the quarter-master general is to be accountable:

That there be advanced to the president and supreme executive council of the commonwealth of Pennsylvania, on their application for that purpose, 60,000 dollars, for which the said commonwealth is to be accountable.

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The committee appointed to confer with Monsieur du Coudray, reported verbally, that they have executed that business, and communicated to him the resolution of Congress:

*Ordered*, That the said committee take into consideration, the situation of Monsieur du Coudray, and report what proposals it will be proper, in their opinion, for Congress to make him:

*Resolved*, That two more members be added to the said committee:

The members chosen, Mr. Morris and Mr. Wilson.

A memorial from a committee of the trustees of the college in New-Jersey, was read:

*Ordered*, That it be referred to the board of war.

Monsieur du Coudray, having applied by a letter to the president for the articles of agreement entered into between him and Mr. Deane, and the bundle of original papers referred to in his account, which he delivered to the committee on foreign applications, and which were by them laid before Congress:

*Ordered*, That the said papers be delivered to him by Mr. Lovell, one of the members of the committee on foreign applications.

*Ordered*, That a letter be written to the executive powers of the states not represented in Congress, informing them, that the confederation of the states, and several other important matters, are put off for want of a full representation of all the states; and earnestly recommending it to them, to send a sufficient number of members to represent them as soon as possible.

Congress took into consideration the memorial of Monsieur du Portail, and the other engineers; and, thereupon,

*Resolved*, That the prayer of the said memorial, for a rank higher than that



agreed on in the treaty made with them by Messrs. Franklin and Deane, at Paris, be not complied with.

*Ordered*, That the board of treasury examine the accounts of the said engineers, and report a draught of money in their favour.

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The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That in lieu of the advance ordered on the 12th to be made to Dr. W. Shippen, director-general of the hospital, a warrant be drawn on the loan-officer in the state of Connecticut, in his favour, for 8000 dollars, for which the said Dr. Shippen is to be accountable.

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*Ordered*, That the said accounts be paid.

Congress took into consideration the report of the board of war of the 2d and 3d instant; Whereupon,

*Resolved*, That general Spencer be informed, in answer to his letter of the 20th May, that Congress confirm the appointment by him of William Peck, esq. deputy adjutant-general to the militia and state troops of Rhode-Island, kept in continental pay; that, for money to pay the said troops, he is to make application to Ebenezer Hancock, esq. at Boston, deputy paymaster-general to the troops in the eastern-department; and that, as the quarter-master general has the appointment of all his deputies, application is to be made to him for the appointment of a deputy quarter master general.

*Resolved*, That Congress approve of general Schuyler's conduct as to captain Whitecomb's corps of rangers, and that 3066 2-3d dollars, the sum the general has paid over the usual bounty allowed by Congress, be charged to the state of Massachusetts-Bay; and that the corps be considered as part of their quota of continental troops:

That Congress approve and ratify general Schuyler's engagements, to the men draughted out of the regiments at Ticonderoga, to act as artillery men:

That general Schuyler be directed to inform the French gentlemen mentioned in his letter of the 25th June last, that Congress will promote them, when they receive authentic intelligence of their meriting promotion by some signal services; and that, in the mean time, general Schuyler be empowered to grant them such pay as he shall think they respectively deserve, not exceeding that of a captain.

*Ordered*, That in consideration of the scarcity of salt, and the quantity necessary for the supply of the army, the committee of commerce take the most effectual and speedy measures for importing, into different parts of this continent, large quantities of that article, and that the commissary-general of purchases be informed of this order.

Congress took into consideration the report of the board of war, respecting the rank of officers in the service of the United States :

*Ordered*, That a copy of the said report be transmitted to general Washington, who is desired to peruse the same, and give his sentiments thereon and objections, if any he has, to Congress.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**FRIDAY, July 18, 1777.**

A petition from John Riordon, of the island of Santa-Croix, who came from thence to Philadelphia in a flag of truce, was read, praying for leave to go to New-York, to obtain from admiral Howe a permit to sail with his vessel:

*Ordered*, That leave be granted him by the board of war, he giving them a parole on the terms by them prescribed.

A letter, of the 29th of June, from W. Aylett, at Williamsburgh, was read:

*Ordered*, That the president inform Mr. Aylett, that Congress approve of his giving colonel Braxton the price he agreed with him for the 3000 barrels of flour.

A letter and memorial from Mons. du Coudray was read :

*Ordered*, To lie on the table.

*Resolved*, That three gentlemen, not members of Congress, be appointed to conduct the business of the board of war, under the direction of the present board :

That Tuesday next be assigned for appointing the said gentlemen.

A petition from James Le Mare was read :

*Ordered*, That the same, together with the papers accompanying it, be referred to the committee of commerce.

*Resolved*, That the case of persons applying for leave to go to New-York, be referred to the board of war, who are directed to take such precautions, and lay those to whom they shall think fit to grant liberty under such restrictions as they judge proper to prevent their giving intelligence to the enemy.

The several matters to this day referred being postponed,  
Adjourned to ten o'clock to-morrow.

**SATURDAY, July 19, 1777.**

A letter, of the 16th, from gen. Washington, at the Clove, and one, of the 11th, from general Spencer, at Providence, were read, giving an account of the capture of major-gen. Prescott :

*Ordered*, That they be referred to the committee of intelligence.

A letter, of the 18th, from colonel Proctor, with a list of the officers of his corps, was read, requesting, as the said corps is transferred by the supreme executive council of Pennsylvania, and taken into the service of the continent, that continental commissions and warrants be granted to the officers, in lieu of the commissions formerly issued to them by the council of safety of the said state :

*Ordered*, That commissions and warrants be granted to the said officers, and that they bear the same date as those issued to them by the state.

*Ordered*, That 1749 50-90 dollars be advanced to captain James Henry of the 5th Maryland regiment, commanded by colonel Richardson, for the use and to be charged to the account of the said regiment.

*Resolved*, That major-gen. Putnam be directed to cause, without delay, a return to be made to the board of war of the troops under his command.

*Resolved*, That it be referred to the board of war, to take into consideration the services performed by lieutenant-colonel Meigs, and lieutenant-colonel Barton, and the troops under their command, and report what marks of

honor it will be proper to bestow upon them for their gallant exploits and meritorious services.

*Ordered*, That the report of the committee appointed to enquire into the conduct of the enemy, with the affidavits annexed, be published in a pamphlet, and that 4000 copies in English, and 2000 in German, be struck off and distributed through the several states.

*Ordered*, That the committee aforesaid continue their enquiries, and, in case they come to the knowledge of other facts well attested before the said publication is made, that they annex them to the pamphlet by way of appendix.

The committee on foreign applications brought in a report, which was taken into consideration ; and, after debate, the determination thereof, at the request of a state, was postponed to Monday next.

The board of war reported, that they have examined into the matter set forth in the deposition of Thomas M'Arthur, relative to the purchase of horses by a certain Davis, and although it appears from Davis's confession, that the facts, as to taking receipts for more than the sums actually paid, are true, yet, whatever might have been intended by the said Davis, who was of opinion that the horses were intended for the public, it does not appear that Davis was authorized to purchase the said horses for the use of the United States, nor were the horses ever delivered to any person employed in the service of these states."

*Ordered*, That 1600 dollars be advanced to Mr. Thomas Butler, public armorer, for the use of his department, he to be accountable.

The board of war brought in a further report ; Whereupon,

*Resolved*, That the memorial of a committee of the trustees of the college of New-Jersey, which was committed to the board of war, be referred to the quarter-master general, and that he be directed immediately to give such orders, on the premises, as may, for the future, prevent any just cause of complaint.

*Resolved*, That the petition of Thomas Belton be dismissed.

*Resolved*, That the farther consideration of the report be postponed.

Congress took into consideration the report of the board of war of the 10th instant ; Whereupon,

*Resolved*, That the artillery company of the state of North-Carolina, be taken into the pay and service of the continent, as part of the quota of the troops to be raised by that state, and that they be ordered to march and join gen. Washington.

*Ordered*, That the remainder of the report lie for further consideration.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to William M'Creigh and Richard Gornel, two deserters from the enemy, for their two muskets, amounting to 28 dollars, delivered to colonel Moylan, at Woodbridge, of whom they received one dollar, 27 dollars :

*Ordered*, That the said account be paid.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That there be advanced to captain Eichelberger, of one of the battalions commanded by colonel Hartley, 800 dollars, to be charged to the said battalion :

That a warrant be drawn by the president on the deputy pay-master general in the southern department, in favor of major Seth John Cuthbert, for 4000 dollars, to be charged to the state of Georgia :

That a warrant be drawn on John Gibson, esq. in favor of colonel John

White, for 15,000 dollars, for the use of his regiment, to be charged to the state of Georgia :

That a warrant be drawn on John Gibson, esq. in favor of William Blount, esq. acting pay-master to the North-Carolina brigade, for 5000 dollars, to be charged to Jacob Blount, esq. pay-master to the North-Carolina troops :

That a warrant be drawn on John Gibson, esq. in favor of the delegates of Georgia, for 2200 dollars, to be charged to the said state :

That there be advanced to Augustis Mottin de la Balme, 307 dollars, 45-90ths, being for two months' advance pay, as inspector of cavalry, and for a horse hire :

That 220 dollars be advanced to captain Valanais, aid to Mons. de la Balme, for two months' advance pay, and for a horse :

That a warrant be drawn by the president, on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of the delegates of South-Carolina, for 100,000 dollars, to be charged to the state of South-Carolina.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

#### MONDAY, July 21, 1777.

Mr. Folsom, from New-Hampshire, and Mr. Chase, from Maryland, attended, and took their seats.

A letter from colonel Johnson, colonel Humpton, and colonel Broadhead, and the other field officers of their battalions of Pennsylvania forces, was read, recommending Dr. Jones to be brigade-chaplain to those three battalions.

The committee appointed to consider what proposals ought to be made to Mons. du Coudray, brought in a report, which was read ; and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

A letter, of the 18th, from general Washington, enclosing a copy of a letter, of the 14th, to him from general St. Clair, at Fort Edward, with the copy of the proceedings of a council of war for evacuating Ticonderoga and Mount-Independence, was read :

*Ordered*, That the letter from general St. Clair, with the paper enclosed, be committed to the committee of intelligence ; and, afterwards, that the same, together with the letter from general Washington and the papers enclosed, be referred to the board of war.

The several matters to this day referred being postponed,  
Adjourned to ten o'clock to-morrow.

#### TUESDAY, July 22, 1777.

Mr. Henry Laurens, from South-Carolina, and Mr. Cornelius Harnett from North-Carolina, attended and took their seats.

A letter, of the 20th, from brigadier Forman ; one, of the 11th, from governor Henry ; one, of the 15th, from brigadier-general Conway and the field officers of his brigade ; one, of the 18th, from Alexander M'Donald of Kingsburgh, and one from William Edmeston, major of the 48th regiment, and sundry other officers, prisoners at Reading ; and one, of the 8th, from brigadier-general Howe, were read :

*Ordered*, That the letters from A. M'Donald and the prisoners at Reading, and that from brigadier-general Howe, be referred to the board of war :

That the letter from governor Henry be referred to the board of treasury, and that colonel W. Finnie, lay his accounts before the said board, who are to proceed to the liquidation and settlement of the said accounts.

A letter, of the 5th, from Dr. Rickman to Mr. Harrison, was laid before Congress and read :

*Ordered*, That it be referred to the medical committee.

The board of war brought in a report, which was read; and after debate, *Resolved*, That the farther consideration thereof be postponed till to-morrow.

The order of the day, for appointing three gentlemen to conduct the business of the board of war, was read:

*Ordered*, That the appointment of the said gentlemen be postponed to Tuesday next.

Congress resumed the consideration of the report of the committee on foreign applications; Whereupon,

*Resolved*, That the chevalier du Portail, colonel of engineers, take rank and command of all engineers heretofore appointed.

The committee on the treasury brought in a report, which was taken into consideration: Whereupon,

*Ordered*, That there be advanced to Mons. du Coudray 2666 2-3d dollars, for the support of himself and the gentlemen who came with him from France; for which Mons. du Coudray is to be accountable:

That a warrant issue on the treasurer to transmit, from Maryland to the auditor-general, one million of dollars, for which the said auditor-general is to be accountable:

That a warrant issue on the auditor-general in favor of the board of war, for 200,000 dollars, to be transmitted to the deputy pay-master general for the use of the northern department, and for which the said deputy pay-master-general is to be accountable.

That a warrant issue on the commissioner of the loan-office in the state of Pennsylvania, for 50,000 dollars, in favor of the auditor-general, for which he is to be accountable:

That there be advanced to colonel Augustus Mottin de la Balme, inspector-general of cavalry, claimed for his and monsieur Ricault's expenses to America, in the service of the United States, 736 dollars, for which colonel de la Balme is to be accountable.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, July 23, 1777.

A letter, of this day, from captain Thomas Dorsey, was read:

*Ordered*, That it be referred to the board of war.

*Resolved*, That the committee appointed to contract for the casting of cannon, be directed to deliver to the board of war and ordnance, all the contracts they have made, together with an account of the advances made and cannon received in consequence of such contracts; and that they be discharged from proceeding farther in that business, and that the board of war and ordnance be vested with the powers granted to the aforesaid committee, and that they be directed to attend to the execution of the said contracts, and to take such measures as they shall judge proper and effectual for procuring a proper supply of cannon for the land and sea service, and that the marine committee apply to the said board for such cannon as they may want for the continental ships of war, under their direction.

The marine committee having laid before Congress a petition from sundry lieutenants in the navy, which had been some time under the consideration of the said committee, and represented, that before any determination as had thereon, a number of the said lieutenants refused to proceed in the execution of their duty, until what they call their grievances should be redressed, as more fully appears by a paper now produced to Congress, dated 1st of July, directed to John Barry, esq. senior commander of the navy in the port of Philadelphia, and signed by twelve of the said lieutenants, viz. Robert French, Robert Martin, Robert Hume, John Fanning, Matthew



Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughan, Joseph Greenway, R. Pomoroy, James Armitage; and whereas such combinations of officers to extort increase of pay and allowances from the public, are of the most dangerous tendency, it is necessary for the public service to make examples of such offenders; therefore,

*Resolved*, That the said Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughan, Joseph Greenway, R. Pomoroy, and James Armitage, be dismissed the continental service, and they are hereby dismissed accordingly, and their commissions rendered void and of none effect.

*Resolved*, That the said Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughan, Joseph Greenway, R. Pomoroy, and James Armitage, be, and they are hereby, rendered incapable of holding any commission or warrant under the authority of the United States, and that it be recommended to the several states not to employ any of them in any office civil or military.

The committee on the treasury brought in a report, which was taken into consideration: Whereupon, Congress came to the following resolutions:

Whereas, no continental general officer is stationed in or near the commonwealth of Virginia, which prevents the issuing of money for the public service out of the military chest in the southern department: Therefore,

*Resolved*, That col. David Mason be authorized to draw warrants upon the deputy pay-master general of the said department, for public services, arising in the said commonwealth, until a general officer be stationed there, always specifying in such warrants the particular uses for which the money so drawn shall be intended or applied for.

*Ordered*, That there be advanced to col. Lewis du Portail, chevalier Derford, 375 dollars; to lieutenant-colonel la Radiere, Baileul, 300 dollars; and to major Gouvion Obry, 250 dollars; for which sums they are respectively to be accountable.

*Resolved*, That the secret committee be empowered to contract with bakers to bake into biscuit, for the use of the army, the flour which they were ordered to sell:

That the commissary-general of purchases be directed to have the flour stored at Yorktown, Lancaster, Downingtown, and Valley-Forge, in Pennsylvania, and which is in danger of perishing, baked into biscuit for the use of the army.

A letter, of the 19th, from general Green, and one, of the same date, from Joseph Trumbull, were read:

*Ordered*, To lie on the table.

Christopher Ludwig, superintendent of bakers, being sent by gen. Washington to Philadelphia to procure a number of journeymen bakers; and it being represented by him that he cannot be supplied, as most of them are engaged in the militia,

*Ordered*, That Mr. Ludwig apply to the supreme executive council of the state of Pennsylvania, and that it be recommended to the said council to furnish him with such a number of journeymen bakers, out of the militia employed in the service of the continent, as he may want.

*Ordered*, That the letter from general Washington to the baron d'Aranda be referred to the committee on foreign applications.

The marine committee brought in a report.

*Ordered*, To lie on the table till to-morrow.

The board of war brought in a report, which was read:

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

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**THURSDAY, July 24, 1777.**

A letter, of the 22d, from gen. Washington, at the Clove, was read :

*Ordered*, That a copy of the same be sent to the supreme executive council of Pennsylvania.

A petition of Thomas Vaughan was read, wherein he declares, that he did not sign the paper addressed to John Barry, esq.

*Ordered*, That it be referred to the marine committee.

A petition from Joseph Philbrick was read :

*Ordered*, That the same, together with the papers enclosed, and therein referred to, be committed to the board of treasury.

*Ordered*, That the letter from general Washington be referred to the board of war, and that they be directed to confer with the executive powers of Pennsylvania, and take immediate and effectual measures to carry into execution the views and wishes of the general.

Mr. Livingston, one of the committee sent to camp, being returned, laid before Congress a letter from general Washington to the said committee, which was read and referred to the board of war.

A letter, of the 23d, from brigadier Forman, was read, informing, that the enemy's fleet sailed yesterday morning from the Hook.

Congress resumed the consideration of the report from the board of war ; and, after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to William Smith, copperplate-printer, for printing loan-office certificates at Baltimore, from 16th Nov. 1776, to 17th July, 1777, for sundries he supplied for the use thereof, 23 59-90 dollars :

To Christopher Ludwig, superintendent of bakers, for sundry expenses incurred in the said service, and for his pay for three months, ending the 3d July, 737 36-90 dollars :

*Ordered*, That the same be paid.

A petition from Thomas Bramal, and one from Robert Towers, were read :

*Ordered*, That the former be referred to the board of war, the latter to the board of treasury.

A petition from Luke Matthewman and the other lieutenants of the navy, who were yesterday dismissed the service, and a letter from John Nelson to the marine committee, were read :

*Ordered*, That they be referred to the marine committee.

A petition from the chevalier la Radiere was read :

*Ordered*, To lie on the table.

These several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

**FRIDAY, July 25, 1777.**

A letter, of the 19th, from brigadier Muhlenburg ; one, of the 2d, from the council of Massachusetts-Bay, and an application of the general assembly of the state of New-Hampshire, for a sum of money to redeem the bills issued by that state, were read :

*Ordered*, That the application from the general assembly of New-Hampshire be referred to the board of treasury.

Congress resumed the consideration of the report of the board of war ; and, after debate,

*Resolved*, That the farther consideration thereof be postponed.

*Resolved*, That a committee of five be appointed to take into consideration the state of Georgia :

The members chosen, Mr. Laurens, Mr. Walton, Mr. Harrison, Mr. Wilson and Mr. S. Adams.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That Congress have a just sense of the merit of lieutenant-colonel Meigs, and the officers and men under his command, who distinguished their prudence, activity, enterprize and valor, in the late expedition to Long-Island; and that an elegant sword be provided by the commissary-general of military-stores, and presented to lieutenant colonel Meigs:

*Resolved*, That Congress have a just sense of the gallant behaviour of lieutenant-colonel Barton, of a militia regiment of the state of Rhode-Island and Providence-Plantations, and the brave officers and men of his party, who distinguished their valor and address in making prisoners of major-general Prescott, of the British army, and major William Barrington, his aide-de-camp; and that an elegant sword be provided by the commissary-general of military stores, and presented to lieutenant-colonel Barton.

*Resolved*, That the board of war be empowered to contract with proper persons to supply the army with beer, cyder, vegetables, soap, vinegar and sour-cROUT; and that they be directed to advertise, in the several papers, that all persons whom it may suit to supply the army with those articles, may make their proposals to the board.

*Resolved*, That general Washington be empowered to increase the ration of soap according to his discretion:

That so much of general Washington's letter as relates to an auditor's attending the army to settle and adjust accounts before warrants be drawn for payment, be referred to the board of treasury:

That general Washington be empowered to appoint Mr. Robert Erskine, or any other person that he may think proper, geographer and surveyor of the roads, to take sketches of the country, the seat of war, and to have the procuring, governing and paying the guides employed under him; the general to fix the pay of the said geographer, &c. and the allowance that shall be made to the guides.

*Resolved*, That the part of the report respecting a supply of clothing be re-committed, and that the remainder of the report lie for farther consideration.

The marine committee having represented that the extravagant prices now demanded for all kinds of materials used in ship-building, and the enormous wages required by tradesmen and labourers, render the building of the ships of war already ordered by Congress not only excessively expensive, but also difficult to be accomplished at this time, and that it appears, by information lately received, that some of the frigates have been set on the stocks in improper places; Whereupon,

*Resolved*, That the marine committee be empowered to put a stop to the building of such of the continental ships of war already ordered by the Congress to be built, as they shall judge proper, and to resume the building of them again when they shall find it consistent with the interest of the United States so to do.

Congress took into consideration a report of the marine committee, on an application of sundry commanders in the navy; Whereupon,

*Resolved*, That the commanders of continental vessels of war of ten guns and upwards, be allowed 5 1-3d dollars per week, for subsistence while in domestic or foreign ports:

That commanders of vessels under ten guns be allowed 4 dollars per week for subsistence while in domestic or foreign ports:

That commanders of continental vessels of war of ten guns and upwards be allowed, whilst at sea, 2 2-3ds dollars per week for cabin expenses:

That lieutenants, surgeons, captains of marines and chaplains, be allowed 4 dollars a week subsistence in domestic ports, during such time as the ships they respectively belong to are not in condition to receive them on board :

That the marine committee be empowered to allow such cabin furniture for continental vessels of war as they shall judge proper :

That when agents for the United States, or any persons in authority under them, put passengers on board any continental vessel of war, they shall lay in the necessary stores for their accommodation, to prevent expense and inconvenience to the commanders.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

### SATURDAY, *July 26, 1777.*

A letter, of the 25th, from general Washington, enclosing a copy of a letter to general Howe, proposing to exchange major-general Prescott for major-general Lee ; and a copy of a letter, of the 22d, from general Schuyler ; a letter of the 24th, from J. M'Kinley, esq. president of Delaware, were read :

*Ordered*, That so much of general Washington's letter as relates to the calling out militia, be sent to the executive powers of Pennsylvania and Delaware :

That the letter from general Washington to general Howe be published.

A letter, of this day, from colonel Proctor of the artillery, was read :  
Whereupon,

*Resolved*, That an order be drawn on John Gibson, esq. for 3096 dollars, in favor of Matthew M'Guire, pay-master to col. Proctor's regiment, for the use of the said regiment, he to be accountable.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

### MONDAY, *July 28, 1777.*

A letter, of the 25th, from general Washington, enclosing one of the 22d, from William Franklin, in Litchfield gaol, Connecticut ; also another letter, without date, from general Washington, at the Cross-Roads, sixteen miles from Morristown ; one, of the 17th, from the council of safety of New-York, at Kingston, with resolutions passed by the said council ; and a letter of the 27th, from Mons. du Coudray, were read.

Congress took into consideration the letter of the 25th, from gen. Washington, and that from W. Franklin, desiring leave to go to New-York to visit his wife, who is in a declining state of health : Whereupon,

*Resolved*, That a certified copy of the certificate granted by William Franklin, esq. whilst under a parole, to Robert Betts, be transmitted to gen. Washington, and that he be desired to inform Mr. W. Franklin, that, after such a violation of so sacred a tie as that of honor, Congress cannot think it consistent with the safety of the states, to permit him to have an opportunity of conferring with our open enemies under any restriction whatsoever.

*Resolved*, That the board of war be empowered to purchase such powder and military stores offered for sale in any of these states, as they may judge necessary for the public service.

*Resolved*, That the marine committee be empowered and directed to provide and get ready, with all possible expedition, ten fire-ships, to be under the direction of the commodore commanding in the river Delaware.

The marine committee, to whom was referred the petition of the lieutenants of the ships of war now in the port of Philadelphia, reported, "That they have called in, before them, the signers of the said petition, who acknowledged, in the most explicit manner, that the offence for which they

were dismissed is highly reprehensible, and could not be justified under any circumstances or on any pretence whatever, and that they were exceeding sorry for the rashness which betrayed them into such behaviour:" Whereupon,

*Resolved*, That the said lieutenants be restored to their former rank and command.

*Resolved*, That it be recommended to the executive council of the state of Pennsylvania, to call out 4000 of the militia, in addition to those already called forth; and, as their service is immediately wanted, that they call forth such as can be soonest collected.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### TUESDAY, July 29, 1777.

A letter, of the 28th, from Joseph Trumbull, esq. was read:

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That the letters of the 15th and 23d, from J. M'Kinley, esq. president of the state of Delaware, be referred to the board of war.

*Resolved*, That an enquiry be made into the reasons of the evacuation of Ticonderoga and Mount-Independence, and into the conduct of the general officers who were in the northern department at the time of the evacuation:

That a committee be appointed to digest and report the mode of conducting the enquiry.

A letter, of the 12th, from P. Philips, at Providence, was read, wherein he informs Congress, that his infirm state of health obliges him to decline the office of commissary of hides, with which Congress honored him: Whereupon:

*Resolved*, That his resignation be accepted.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### WEDNESDAY, July 30, 1777.

A petition from lieutenant-colonel Jotham Loring, was read; setting forth, that, in the Danbury expedition in which he lost a horse killed, and praying that another make up his loss:

*Ordered*, That it be referred to the board of war.

The governor of Virginia having represented under Telfair, two of the gentlemen accounts of Virginia against the United States.

*Resolved*, That Whitmell Hill and Eatwell be removed from their room, and that they, and Wyllie be empowered to act.

In consequence of an adjustment by auditor-general reports,

That the account of William Finnie, of sundries furnished for the use of the quartermaster general, amounts to 170,331 35-90 dollars; that the deputy pay-master general, 154,543 78-9 horses, wooden tents, and goods sold by him, amounts to 154,543 78-9 dollars; that there is a balance due to him amounting to 154,543 78-9 dollars; it is the opinion of the board of treasury services in purchasing clothing and necessaries, and in disposing of such articles as were unfit for use, that the balance due to him amounts to 154,543 78-9 dollars: making in the whole 6509 87-90 dollars:

*Resolved*, That there be paid to colonel Mifflin, master general for the southern department



balance of his accounts with the United States, as settled by the commissioners at the treasury office, under the direction of the committee of the treasury, and that the said committee be authorized to discharge the said deputy quarter-master general upon the said account accordingly.

In consequence of an adjustment by the commissioners of claims, the auditor-general farther reports,

That there is due to Robert Jewell, for subsisting prisoners in the new gaol, for fire-wood, candles, &c. and for his and his two assistants' pay, from the 17th June to the 22d July, 752 83-90 dollars :

*Ordered*, That the said account be paid.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That there be paid to George Clymer, esq. 130 40-90 dollars, for his and Mr. Stockton's expenses as a committee of Congress to Ticonderoga, between the 27th September and 20th November last :

That there be advanced to col. Lewis Nicola, of the battalion of invalids, 500 dollars, for the use of the said battalion, he to be accountable.

*Resolved*, That there be allowed to the officers of the cavalry, 2 2-3ds dollars for their trouble and expense in recruiting every non-commissioned officer and private, and purchasing each horse.

*Resolved*, That a warrant be drawn on the managers of the lottery for 45,000 dollars, in favor of the auditor-general, for which he is to be accountable.

*Resolved*, That there be paid to Lewis Casimir de Holtzendorf, retained by Mr. Deane as a lieutenant-colonel in the service of the United States, for eight months' pay and rations, commencing the 20th November, and ending the 20th July, deducting 900 livres which Mr. Deane advanced him, 439 40-90 dollars.

*Resolved*, That there be advanced to lieutenant-col. Holtzendorf the further sum of 120 dollars, for two months' pay, commencing the 20th inst.

The marine committee, to whom a petition from Mary Giddens was referred, brought in a report, which was read ; Whereupon,

*Ordered*, That the sum of 200 dollars be paid to Mary Giddens, widow of John Giddens, a petty officer, killed on board the Alfred, in the engagement with the Glasgow man of war, she being entitled to this sum out of the prize-money taken by the squadron during com. Hopkins's cruize, the cannon and military stores applied to continental use being part of the said prize goods, of which no valuation has been obtained.

Whereas, the states of New-Jersey, Pennsylvania and Delaware are in danger of an immediate invasion from the enemy's army, a powerful fleet being daily expected within the capes of Delaware, and there is the strongest reason to suppose that the enemy will endeavor to secure, without delay, all the cattle, horses, and teams, which are exposed to the water, in order to subsist their army and facilitate their military operations ; and whereas, the preventing of this measure is not only highly conducive to the general weal, but will ultimately tend to secure the property of the good people of these states from cruel ravages :

*Resolved*, That it be recommended to the executive powers of the states of Pennsylvania, New-Jersey, and Delaware, to cause the horses, wagons, carts, cattle, and other live stock contiguous to the bay and river Delaware, to be removed into the interior parts of the country, whenever the arrival of the enemy's forces at the capes shall announce the necessity and propriety of such a measure.

*Resolved*, That all continental officers, and officers of militia in continental pay, in the said states, do afford the said executive powers such aid and assistance, in performing this service, as they may require.

A memorial from Bryan Lefferty was read :

*Ordered*, That so much of the said memorial as relates to an extension of the limits in his parole, be referred to the board of war, and that the remainder be referred to the board of treasury.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That there be paid to col. Moses Hazen 1497 57-90 dollars, for the pay of the field officers and four companies, of which his battalion then consisted, from the 18th of June to the 1st of November :

That there be paid to Isaac Guion, esq. pay-master to the 9th battalion of continental troops raised in North-Carolina, on account of the pay of the said battalion, 2500 dollars, for which he is to be accountable :

That there be paid to Isaac Guion, agent for John Spicer, pay-master of the 2d battalion of continental troops raised in North-Carolina, on account of the pay of the said battalion, 3500 dollars, for which the said pay-master is to be accountable :

That there be paid to Isaac Guion, agent for James Spicer, pay-master of the 5th battalion of continental troops raised in North-Carolina, on account of pay for that battalion, 5000 dollars, the said pay-master to be accountable :

That there be paid to Richard Bradley, pay-master to the 1st battalion of continental troops raised in North-Carolina, commanded by colonel Thomas Clarke, for one months' pay of the said battalion, 2000 dollars, the said pay-master to be accountable :

That a warrant be drawn on the continental treasurer at Baltimore, in favor of Stephen Stewart, for the use of the secret committee, 10,666 2-3ds dollars, and to be charged to the secret committee :

That 40,000 dollars be paid to Cornelius Sweers, deputy commissary of military stores, and that the same be charged to colonel B. Flower, the commissary-general of military stores :

The committee appointed to take into consideration the state of Georgia, brought in a report, which was read.

*Ordered*, To lie on the table for consideration.

*Resolved*, That major-gen. St. Clair, who commanded at Ticonderoga and Mount Independence, be, and he is hereby directed forthwith to repair to head-quarters.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, July 31, 1777.

A letter, of the 30th, from general Washington at Coryell's Ferry ; one of the 30th, from brigadier Cæsar Rodney, at Dover ; and one, of the same date, from H. Fisher, at Lewistown, informing that the enemy's fleet appeared in the offing, about four leagues from the light-house, were read.

The board of war brought in a report, which was taken into consideration. Whereupon,

*Resolved*, That it be recommended to the executive council of the state of Pennsylvania, forthwith to make prisoners, such of the late crown and proprietary officers, and other persons in, and near this city, as are detected, or may be dangerous to the public liberty, and send them back into the country, there to be confined, or enlarged upon parole, as their characters and behaviour may require :

That it be recommended to the said executive council to remove, under guard, all the state prisoners in the gaol of this city, to some safe place into the country, and that they cause the guards to be doubled until the prisoners can be removed :

That it be recommended to the said executive council, immediately to or

der two companies of militia to strengthen the guard over the prisoners at Lancaster, and also two companies of militia to guard the prisoners at York-town.

*Ordered*, That 100,000 dollars be advanced to the supreme executive council of the state of Pennsylvania for public service, the said state to be accountable.

*Resolved*, That the militia of the states of New-Jersey, Pennsylvania, Delaware and Maryland be immediately called forth, to repel any invasion of the enemy in the said states.

*Ordered*, That 80,000 dollars be advanced to the continental navy board in Pennsylvania, for public service, the said board to be accountable.

*Resolved*, That the continental navy board be empowered and directed to take such measures as they judge necessary and expedient; for securing the continental vessels that cannot be employed in the defence of the river, and also for securing the continental property afloat in the river.

Whereas, the marquis de la Fayette, out of his great zeal to the cause of liberty, in which the United States are engaged, has left his family and connexions, and, at his own expense, come over to offer his service to the United States, without pension or particular allowance, and is anxious to risk his life in our cause:

*Resolved*, That his service be accepted, and that, in consideration of his zeal, illustrious family and connexions, he have the rank and commission of major-general in the army of the United States.

A letter, of this day, from colonel S. Moylan; one, of the 25th, from general Washington, introducing Mons. d'Avoux to the notice of Congress; one, of the 8th, from governor Henry of Virginia; one, of the 27th, from colonel Gibson, at Alexandria; one, of the 28th, from J. M'Kinley, president of Delaware; and a letter and memorial from Dr. Morgan, were read:

*Ordered*, That the letters from president M'Kinley, brigadier Rodney, governor Henry, and colonel Gibson, be referred to the board of war; that the letter from general Washington, with the papers enclosed, be referred to the committee on foreign applications; and the memorial of Dr. Morgan to the medical committee.

Congress took into consideration the report of the board of war of the 24th; Whereupon,

*Resolved*, That it be recommended to the executive authorities of the United States, to divide their respective states into districts, and to appoint a proper person in each district to recruit men to fill up the regiments raised in such state; that they take good security of the persons so appointed, for the faithful discharge of his duty, and rendering just accounts of all public monies, that shall come to his hands; and that they allow, for each able-bodied recruit so raised, who shall enlist for 3 years, or during the war, the sum of 8 dollars, in full for his trouble and expense; that, where no provision for securing deserters has already been made by the laws of the state, they give to each person so appointed, full power to take up and secure all deserters that shall come within their respective districts, and where force is necessary for this purpose, that they direct the officers of the militia to give such assistance as shall be required; that they allow him the sum of 5 dollars for every deserter so taken up and secured, in full for his trouble and expense therein; and, for the encouragement of men to enter the service, they shall have liberty, at the time of their enlistment, to make choice of the regiment, troop or company in which they will serve, provided such regiment, troop or company is not full; if it is, they may chuse any other regiment, troop or company which is not full, which shall be entered against their names and returned to the officer appointed to receive such recruits, who shall, at the time they are sent to join their corps, transmit the same to the general, or commanding officer.

*Resolved*, That it be recommended to the executive authorities of the United States, to appoint convenient places of rendezvous in their respective states, for receiving recruits and deserters, and that they transmit to general Washington, with as much expedition as possible, the names of such places of rendezvous, in order that proper officers may be sent to receive recruits and deserters.

*Resolved*, That general Washington be directed to order all continental officers, now absent from their corps, forthwith to join them, except only such as the general shall think necessary to receive recruits and march them to the army.

*Ordered*, That the two first articles in the requisition of Mons. de Condray, of the 27th instant, be referred to the board of war.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

FRIDAY, August 1, 1777.

A letter, of the 31st July, from general Washington, at Coryell's Ferry; one, of the 8th April, from S. Deane, recommending the viscompte Mearoy; one, of the 30th July, from brigadier J. Dagworthy; and a memorial from colonel Hazen; were read.

*Resolved*, That a committee of three be appointed to examine the letters that have passed between the committee of secret correspondence and Mr. Deane, and report thereon to Congress, and that the committee meet at the office of the committee for foreign affairs:

The members chosen, Mr. S. Adams, Mr. Wilson, and Mr. Laurens.

A letter from the baron de Kalb, was read:

*Ordered*, That it be referred to the committee on foreign applications.

Congress resumed the consideration of affairs in the northern department; Whereupon,

*Resolved*, That maj. gen. Schuyler be directed to repair to head-quarters:

That general Washington be directed to order such general officer as he shall think proper, to repair immediately to the northern department, to relieve major-general Schuyler in his command there:

That brigadiers-general Poor, Patterson, and de Roche Fermoy, be directed to repair to head-quarters.

*Resolved*, That the committee to be appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Mount-Independence, and into the conduct of the officers who were in the northern department at the time of the evacuation, consist of five:

The members chosen, Mr. Laurens, Mr. J. Adams, Mr. Dyer, Mr. Roberteau, and Mr. Folsom.

Congress took into consideration the report of the committee on the state of Georgia; Whereupon,

*Resolved*, That one million of dollars be immediately struck and emitted under the direction of the board of treasury, for the purpose of redeeming the certificates and bills of credit, issued by the state of Georgia, for the use of the United States, and for supporting the continental forces in that state; that 400,000 of the said dollars be sent to the government of the said state for sinking or redeeming the said certificates or bills of credit; that a deputy pay-master-general be appointed in the said state of Georgia, and the remaining 600,000 dollars sent to him for the use of the continental forces:

That the quarter-master general be directed to appoint a deputy quarter-master general in the said state, and that he be directed to use his utmost endeavors to procure tents and other essential articles, for the use of the troops there, without delay:

That the clothier-general be directed to appoint an agent in the said state for the purpose of supplying the troops there with clothes: that the com

mittee of commerce be directed to order a supply of clothing and other necessary articles for the use of the troops in the said state :

That a deputy commissary-general of purchases, and a deputy commissary-general of issues of provisions be appointed in the said state :

That brigadier-general Howe be directed to send a general officer, to relieve brigadier-general M'Intosh in his command in Georgia, and that he assign some other command to brigadier-general M'Intosh :

That the commanding officer in the said state, for the time being, be directed, as he shall think it proper, to establish a post in the southern part of the said state, at the most convenient and healthy situation :

That three persons in the state of South-Carolina, be appointed to audit and settle the public accounts in Georgia, and that the auditor-general be directed to acquaint them with the method adopted for settling public accounts :

*Ordered*, That to-morrow be assigned for nominating, and Monday next, for appointing, the officers mentioned in the foregoing resolutions.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, *August 2*, 1777.

A letter, of this day, from Charles Stewart and W. Buchanan, was read.

A memorial from Isaac Jones, in behalf of himself and the owners, marines and mariners of the private sloop of war called the Retaliation, was read :

*Ordered*, That it be referred to the committee on appeals.

A letter, of this day, from Joseph Trumbull, at Philadelphia, was read, desiring that he may have leave to resign his commission of commissary-general; and informing Congress, that he cannot consider himself as obliged to hold the office he now acts in, longer than the 20th day of this month.

*Resolved*, That all proceedings of Congress, and all questions agitated and determined by Congress, be entered on the journal, and that the yea or nay of each member, if required by any state, be taken on every question as stated and determined by the house.

*Resolved*, That Monday next be assigned for appointing officers in the commissary's department.

*Resolved*, That a committee of five be appointed to consider the state of affairs in the northern department :

The members chosen, Mr. Laurens, Mr. Wilson, Mr. J. Adams, Mr. Duane and Mr. Law.

*Ordered*, That the committee confer with general Washington, and report as soon as possible.

A letter, of the 2d, from J. M'Kinley, president of Delaware, was read :

*Ordered*, That it be referred to the board of war.

*Ordered*, That a warrant for 100,000 dollars be drawn on John Lawrence, esq. commissioner of the loan-office in the state of Connecticut, in favor of Joseph Trumbull, esq. for the public service, he to be accountable.

A letter, of the 28th of July, from governor Trumbull, of Connecticut, was read :

*Ordered*, That it be referred to the committee on the northern department.

The committee for foreign affairs laid before Congress sundry letters, which were read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SUNDAY, *August 3*, 1777.

A letter, of the 24th of July, from general Schuyler, at Moses-Creek, 4 miles below Fort-Edward ; one, of the 27th of the same month, from major-general Arthur St. Clair, at the same place, were read.



The committee on the state of the northern department brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That general Washington be directed to order the general whom he shall judge proper to relieve general Schuyler in his command, to repair, with all possible expedition, to the northern department, giving him directions what numbers of the militia to call forth from the states of New-Hampshire, Massachusetts-Bay, Connecticut, New-York, New-Jersey and Pennsylvania:

That notice be immediately sent to the executive powers of the said states, and that they be earnestly requested to get the militia in those parts of their respective states most contiguous to the northern department, ready to march at a moment's warning, and to send, with all possible expedition, such parts of them as the general commanding in the northern department shall require, to serve till the 15th of November, if not sooner relieved by continental troops, or dismissed by the commanding officer of the department, and be entitled to continental pay and rations:

That the commanding officer in the northern department have discretionary power to make requisitions on the states aforesaid, from time to time, for such additional numbers of the militia, to serve in that department, as he shall judge necessary for the public service.

Whereas, it is represented to Congress, that general Washington is of opinion, that the immediate recal of all the brigadiers from the northern department may be productive of inconvenience to the public service:

*Resolved*, That the order of Congress, of the 1st day of this month, respecting the said brigadiers, be suspended until general Washington shall judge it may be carried into effect with safety.

*Ordered*, That the letter from B. Franklin and S. Deane to lord Stormont, and the despositions therein referred to, which were among the papers read yesterday, be published:

That the committee for foreign affairs extract, and lay before Congress, to morrow, such other parts of the said letters and papers as they judge proper for publication.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to morrow.

#### MONDAY, August 4, 1777.

A letter, of the 3d, from general Washington, was read:

*Ordered*, That it be taken into consideration at one o'clock.

A letter, of the 23d of July, from William Sever, esq. president of the council of Massachusetts-Bay, with a list of the troops raised by that state; one, of the 26th of July, from Elisha Avery, in which he begs leave to decline accepting the office of deputy commissary-general of issues; one, of this day, from R. Bache; a memoir from Mons. du Coudray; a memorial from Christopher Ludwig; and a letter, of the 25th of July, from brigadier de Roche Fermoy, were read:

*Ordered*, That so much of the letter from the council of Massachusetts-Bay, as relates to money, be referred to the board of treasury, and the remainder to the board of war; that the letter from Mr. Bache be referred to the board of treasury; that the memoir from Mons. du Coudray, the memorial from Christopher Ludwig, and the letter from brigadier de Roche Fermoy, be referred to the board of war.

*Resolved*, That a committee of three be appointed to enquire into, and report the number of muskets and field-pieces, and the quantity of soldier's clothing imported, or manufactured, or purchased for the use of the army, the time of importation and the place, and the persons to whom delivered, together with the number of arms in the several magazines under the care of the board of war, the number in the stores of the commissary-general of

military stores, and in the hands of the continental troops, and what number has been lost or condemned, and that the committee have power to send for persons and papers :

The members chosen, Mr. Chase, Mr. Gerry and Mr. Vandyke.

The committee to whom the petition of Daniel Bucklin, and the memorial of Isaac Jones, were referred, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That Joseph White, commander of the privateer Revenge, appear before the committee of appeals within 40 days after a copy of the petition of Daniel Bucklin, and of this resolution, is served on the said Joseph White, the agent or one of the owners of the said privateer, to shew cause why the prayer of the petition should not be granted.

*Resolved*, That William Dennis, commander of the privateer sloop called the America, appear before the committee of appeals within 40 days after a copy of the memorial of Isaac Jones, and of this resolution, is served upon him, the said William Dennis, the agent, or one of the owners of the said privateer, to shew cause why the prayer of the said memorial should not be granted.

A motion was made, " that a committee be appointed to revise the regulations of the commissary's department, so far as respects the appointment of officers ; that they confer with general Washington on the subject, and report such alterations as they may judge necessary."

A motion was made for postponing the consideration thereof :

Passed in the negative.

It was then moved to amend the motion by striking out " the appointment of officers" and inserting " the salaries to be given and the oaths to be taken by persons employed in the issuing-department : " Passed in the negative.

It was then moved to strike out the words " so far as respects the appointment of officers : " Passed in the negative.

The question being put on the original motion, Passed in the negative.

Congress took into consideration the letter from gen. Washington, wherein he wishes to be excused from making the appointment of an officer to command the northern army ; Whereupon,

*Resolved*, That Congress proceed to the election ; the ballots being taken, major-gen. Gates was elected by the vote of eleven states.

*Resolved*, That general Washington be informed of this appointment, and that he be directed to order gen. Gates to repair, with all possible expedition, to the northern department, to relieve major-gen. Schuyler.

*Ordered*, That the remainder of the letter from gen. Washington be referred to the committee on the northern department.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## TUESDAY, August 5, 1777.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to major William West, for his pay and rations as a captain in the 3d Pennsylvania regiment, from 1st September to 25th October, 1776, and for his pay and rations as major, from 25th October, 1776, to 13th July, 1777, 540 56-90 dollars :

To Cornelius Robinson, for his services as an express from brigadier Dagworthy to this place, and for the hire of horses pressed on the road, and his expenses, 34 30-90 dollars :

To William Hurrie, for his attendance as door-keeper to Congress, for candles, &c. which he bought between 1st May and 31st July, and for nine days' attendance omitted in his last account, 90 72-90 dollars :

*Ordered*, That the said accounts be paid.

The board of treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That 2000 dollars be advanced to John Cheesborough, pay-master of the 6th regiment of North Carolina continental troops, for the pay of the said regiment, the said pay-master to be accountable.

*Ordered*, That the same allowance be made to Bryan Lefferty, one of the hostages from Tryon county, for the good behaviour of the inhabitants of the said county, as is ordered by Congress to be made to the M'Donalds, and that 257 30-90 dollars be paid to Mr. Lefferty accordingly, in full for his subsistence to the 1st inst. inclusive.

*Ordered*, That there be advanced to Mons. du Coudray, for the use of the following gentlemen, who came over with him to America :

Captain Rogers and capt. Fleury, each 200 dollars ;

Capt. Le Brun, capt. Vareigne, and capt. Tousard, each 250 dollars ;

Capt. Loyaute and capt. Pierre, each 200 dollars ;

Lieut. Le Blanc, 250 dollars, and lieut. Mathio, 150 dollars ;

Lieut. Rivau and lieut. Fonfrede, each 250 dollars ;

Lieut. Ganot, 150 dollars, and lieut. Matigni, 250 dollars ;

Lieut. Coyete, lieut. Parisy, lieut. Begard, each 150 dollars ;

Lieut. Pommereul and lieut. Boshard, each 150 dollars ;

Amounting, in the whole, to 3600 dollars, to be charged to account of Mons. du Coudray, being advanced on his application.

*Resolved*, That a commissary of hides be appointed in the room of Peter Philips, esq. who declines acting ; the ballots being taken,

George Ewing was elected.

*Resolved*, That Thursday next be assigned to take into consideration the propriety of establishing a court of appeals.

Congress proceeded to the election of officers in the commissary's department ; and the ballots being taken,

William Buchanan, esq. was elected commissary-general of purchases.

*Resolved*, That the election of other officers be postponed till to-morrow.

*Resolved*, That a committee of three be appointed to take into consideration the letter from B. Franklin and S. Deane, esqrs. to lord Stormont, and the depositions therein referred to, and report thereon :

The members chosen, Mr. Witherspoon, Mr. Chase, and Mr. Duer.

A deposition of John Barret, 1st lieutenant of the armed brig Raleigh, late commanded by Edward Travis, esq. fitted out by and belonging to the state of Virginia, was read :

*Ordered*, That it be referred to the foregoing committee.

The committee on foreign applications brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the chevalier de Failly have the rank and pay of major in the army of the United States.

The committee returned from camp, brought in a report, which was read.

Congress took into consideration the report of the board of war of the 25th July ; Whereupon,

*Resolved*, That captain Dorsey's resignation be accepted.

The committee on the northern department, to whom general Washington's letter was referred, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the commanding officer in the northern department be directed to apply to the executive powers of the respective states of New Hampshire, Massachusetts-Bay, Connecticut, New-York, New-Jersey, and Pennsylvania, for such a number of their respective militia as he shall judge sufficient to reinforce the army under his command :

That such militia be entitled to continental pay and rations, and be continued in service until the last day of November next, unless sooner relieved by continental troops, or discharged; and that it be earnestly recommended to the executive powers of the said states, to exert their most vigorous efforts in complying with the requisition of the said commanding officer, without delay, that a speedy and effectual stop may be put to the progress of the enemy in that quarter.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, *August 6, 1777.*

A letter, of this day, from gen. Washington, was read.

A letter from the continental navy-board was read; Whereupon,

*Resolved*, That John Rodeg be appointed a second-lieutenant in the navy of the United States.

Whereas, major-general Gates, by virtue of the power and authority to him given and granted by Congress, did, on the 1st of May last, grant to Louis Jean Baptist Cham baron d'Antignac the commission of captain in the army of the United States:

*Resolved*, That a continental commission be granted to him, the said Louis Jean Baptist Cham baron d'Antignac, in lieu of the warrant given to him by major-general Gates.

A memorial from Mons. du Coudray, was read:

*Ordered*, That it be dismissed.

A letter of the 5th, from Henrich Klean, was read:

*Ordered*, To lie on the table.

*Resolved*, That John M'Coomb, of Princeton, be authorized to act as quarter-master at that place, for such detachments of the army as may be passing that way, until the quarter-master general shall give further directions on this subject; and that he take care that no damage be done to the college at that place.

*Resolved*, That major-general Gates inform those states to whom he shall apply for militia, that Congress think it imprudent to adhere to settled quotas which ought to be called forth from each particular state.

Congress proceeded to the appointment of a deputy commissary-general of purchases, a deputy commissary-general of issues, and a deputy pay-master general of Georgia: Whereupon,

*Resolved*, That James Roe, esq. be commissary-general of purchases; John Bohun Garardeau, deputy commissary-general of issues; and Joseph Clay, deputy pay-master general in Georgia.

*Resolved*, That gen. R. Howe be directed to order brigadier M'Intosh to repair, with all expedition, to head-quarters, where his service is necessary.

*Resolved*, That the sum of 4000 dollars be paid to the officers and men on board every fire-ship in the river Delaware, and to the officer and crew of any chain of fire-rafts, which shall actually set on fire and destroy any one of the enemy's ships of war of 20 guns and upwards; and 3000 dollars for every ship or vessel of war under 20 guns; and 1500 dollars for every transport; the proof of the execution done to be certified by the commodore, or commanding officer, or by the oath of such person or persons, as may have been a witness to the fact.

*Resolved*, That the rewards aforesaid shall be divided in the following proportions: one-fourth to the captain or commander, one-seventh to the lieutenant, and the remainder to the crew, to be equally divided among them.

A petition from John Green and Peter Knight, was read, praying that they may have leave to enter an appeal against a sentence of a court of ad-

miralty for the state of Georgia, on the 20th day of December last, on the libel John White, &c. *vs.* the sloop Polly :

*Ordered*, That it be referred to the committee on appeals.

Congress proceeded to the election of officers in the commissary's department ; and, the ballots being taken,

Ephraim Blaine, esq. was elected deputy commissary-general of purchases, in the room of Mr. Buchanan :

Archibald Stewart, esq. deputy commissary-general of issues, in the room of Mr. Hoops, who has resigned :

James Blicher, esq. deputy commissary-general of issues in the room of Mr. Avery, resigned :

*Resolved*, That in case Mr. Blicher decline the office, the commanding officer in the northern department be authorized to appoint another person in his stead, and inform Congress thereof.

*Resolved*, That another deputy commissary-general of issues be appointed for the eastern department : the ballots being taken, Samuel Gray, esq. was elected.

*Resolved*, That the appointment of a deputy commissary-general of purchases, in the room of Mr. Wadsworth, be postponed, till to-morrow.

The committee on the treasury brought in a report : Whereupon,

*Ordered*, That there be advanced to William Palfrey, esq. pay-master general, 500,000 dollars, for the use of the army, he to be accountable :

That there be advanced to Richard Bache, esq. post-master general, 2000 dollars, for which he is to be accountable :

That a warrant issue in favor of the board of war, for 500,000 dollars, to be transmitted to Jonathan Trumbull, esq. deputy pay-master general in the northern department, for the use of the said department, he to be accountable :

That a warrant issue from the president on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of William Sever, esq. president of the council of the said state, for 30,000 dollars, for building a magazine, laboratory, and barracks in that state, agreeable to the order of Congress, for which the said council is to be accountable :

That there be paid to Richard Bradley, esq. pay-master of the 3d battalion of continental troops raised in North-Carolina, 3500 dollars, he to be accountable :

That there be paid to John Taylor, pay-master of the 8th battalion of continental troops raised in North-Carolina, 1000 dollars, for which he is to be accountable :

That there be advanced to Dr. W. Shippen, director-general of the hospital, 50,000 dollars, for the use of the hospital, he to be accountable :

That there be advanced to the chevalier de Failly, 100 dollars, for two months' pay, he to be accountable :

That the president issue a warrant on the commissioner of the continental loan-office in the state of Rhode-Island, in favor of Daniel Tillinghast, esq. for 10,059 4-90 dollars, in discharge of a bill drawn by Abraham Livingston and William Turnbull, agent for James Mease, esq. clothier-general, on Robert Morris, esq. chairman of the secret committee, and tendered for payment to Congress, dated Boston, June 16th, 1777 ; the clothier-general to be accountable :

That the president issue a warrant on the commissioner of the loan-office in the state of Pennsylvania, in favor of James Mease, esq. clothier-general, for 50,000 dollars, for the use of his department, he to be accountable.

The committee farther report, " That they have conferred with the managers of the state lottery, and find that a considerable number of tickets remain unsold, in the hands of the managers, as well as their agents in the several states ; that from the present state of the lottery, and the uncertain-



ty of the enemy's intentions, the committee recommend the drawing to be postponed till the 6th day of November next, and that a farther quantity of tickets be transmitted to the several states; and that it be recommended to their several executive powers to give all the assistance they can to expedite the sales thereof:

*Resolved*, That Congress agree with the committee, and that the board of treasury take measures accordingly.

*Resolved*, That the commissary-general of musters be hereafter allowed the pay and rations of a colonel; that the pay of his deputy commissaries be increased to 60 dollars a month, and that of the muster-masters to 45 dollars per month.

*Resolved*, That the several muster-masters be directed to omit making returns to the pay-master and deputy pay-masters general.

On motion, it was resolved as follows:

Whereas, Joseph Trumbull, esq. having resigned his commission of commissary-general of purchases under the new regulations, has signified his intentions of discontinuing his service under the former establishment on the 20th day of the present month; and whereas the commissaries-general of purchases and issues, who are to succeed him in office, may not be prepared with their respective assistants to proceed in the business at the time aforesaid, and a failure of supplies may be attended with the most dangerous consequences:

*Resolved*, That Mr. Trumbull, with the officers under him, be desired to continue in the business of supplying the army under the former establishment, until the commissaries-general of purchases and issues shall signify their readiness to proceed therein under the new regulations, which they are required to do as speedily as possible:

It was then moved, "that general Washington be authorized, during the present campaign, to remove such officers and make such appointments in the commissary's department, as he shall judge necessary, reporting their names to Congress; and if, in carrying into execution the resolutions aforesaid, any alterations shall appear to him essential to the service, he is further authorized to propose the same to Congress;" and on the question put, passed in the negative.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, August 7, 1777.

A letter, of the 7th, from gen. Washington, was read, enclosing a copy of a letter of the 1st, from gen. Schuyler, at Saratoga, and sundry other papers:

*Ordered*, That copies thereof be sent to major-general Gates.

*Resolved*, That major-general Prescott be retained as a pledge for the good treatment and release of major-general Lee, and that he be treated as nearly as circumstances will admit, in the same manner as the enemy shall treat the officer last mentioned.

*Resolved*, That general Washington be authorized to negotiate the exchange of prisoners with the enemy, in such manner, and on such terms, as he shall judge expedient, notwithstanding the resolution of Congress respecting lieutenant-colonel Campbell, and the five Hessian field officers.

*Resolved*, That the pay of the deputy commissaries-general of issues, be increased to 100 dollars a month, and the pay of the clerks to the commissaries-general, to 50 dollars a month.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, August 8, 1777.

A letter, of the 4th, from governor Johnson, at Annapolis, enclosing a

letter from Darby Lux, was read; Whereupon, Congress came to the following resolution:

It having been represented to Congress, that Darby Lux, Amon Butler, Nicholas Haite, Thomas James, and Nathaniel Owings, of Baltimore county, in the state of Maryland, gentlemen, have in company undertaken to open a lead-mine, and to erect works for smelting the ore, and that the inhabitants in the neighborhood have refused to permit them to proceed in the prosecution of their design, without credentials from Congress, that they are friends to the United States; and it appearing to Congress, by the representation of the governor and delegates of Maryland, that the said gentlemen are faithful friends to the American cause,

*Resolved*, That it be recommended to the inhabitants in the neighborhood of the lead-mine aforesaid, to permit the same to be worked by the above gentlemen, and to give them every encouragement in the prosecution of a work of such public utility, and from which a supply of lead may be drawn for the service of these states.

The committee of commerce, to whom the petition of James le Mare was referred, report, "that they enquired into the merits of his claim on the United States, and are of opinion, that the said James le Mare, and his sloop, the Mary, were in the continental service at the time she was taken and burnt by the enemy in Chingoteague inlet, and that he ought to be paid a reasonable value for the said sloop, with such reasonable charges and expenses as may have arisen to him in consequence of this misfortune;" Whereupon,

*Resolved*, That the committee of commerce be empowered to make the said James le Mare, a reasonable and just compensation for his losses in the public service, and to despatch him on the business in which he was employed by the secret committee.

A letter, of the 3d, from brigadier-general Scott, to B. Harrison, esq. was laid before Congress, and read:

*Ordered*, To lie on the table.

A petition from William West, major, James M<sup>c</sup>Henry and Hugh Hodge, surgeons of the 4th and 6th regiments of Pennsylvania forces, commanded by colonels Magaw and Cadwallader, prisoners on parole, praying to be informed, whether, as continental officers holding commissions only revocable by this or a future Congress, they are not entitled to pay while on parole, as well as when in the hands of general Howe:

*Ordered*, To lie for consideration till Monday next.

A letter, of the 24th March, from Recules de Basmeireen Raimbeaux, & Bourdeaux, was read, and referred to the committee of commerce.

A letter, of the 24th July, from brigadier-general Hand, at Fort-Mifflin, Thomas Wharton, esq. president of the council of Pennsylvania, with sundry papers enclosed, was laid before Congress, and read:

*Ordered*, That the same be referred to the board of war.

The medical committee, to whom the memorial of Dr. J. Morgan was referred, brought in a report.

A motion was made, that a new commission be made out, and sent to major-general Benedict Arnold, giving him the rank of major-general in the army, from the 19th February last:

To this it was moved to add, "On account of his extraordinary merit and former rank in the army:"

Question put, and passed in the negative.

Question was then put on the first motion, and passed in the negative.

At the request of Rhode-Island, the yeas and nays were taken as follows:

#### YEAS.

Mr. Folson,  
Marchant,

Mr. Dyer.  
Duane,

Mr. Roberdeau,

Mr. Walton.

## NAYS.

Mr. S. Adams,  
J. Adams,  
Gerry,  
Lovell,

Mr. P. Livingston,  
Duer,  
Sergeant,  
Elmer,

Mr. R. Morris,  
Wilson,  
Clymer,  
Vandyke;

Mr. Chase,  
W. Smith,  
Burke,  
Harnett.

A memorial from J. Jay and Gouverneur Morris was read :

*Ordered*, That it be referred to a committee of three :

The members chosen, Mr Chase, Mr. Wilson and Mr. Sergeant.

*Ordered*, That the committee immediately sit on the business, and that they confer with general Washington and the memorialists.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due,

To major Samuel Nichols, for himself and a detachment of three companies of marines which he commanded on artillery duty, for which they were to receive additional pay, viz. captain Porter's company, from the 1st February to 1st July ; captain Mullen's company, from 1st February to 1st March ; and captain Deane's company, from 1st February to 1st April, 895 15-90ths dollars :

To William Hurrie, door-keeper to Congress, for a balance of his account, 26 60-90ths dollars :

To Allan M'Donald, his son and servant, for their allowance as prisoners, from 18th September, 1776, to 5th August, 1777, being 46 weeks, 230 dollars :

To Daniel Smith, of the city tavern, for his bill of expenses of Congress, on the 4th of July last, including a balance of an old account, 729 68-90ths dollars ; also a bill for materials, workmanship, &c. furnished for the fire-works on the 4th July, 102 69-90ths dollars ; amounting in the whole to 832 47-90ths dollars :

To the Rev. John Hart, chaplain to the 6th Virginia regiment, for his extra services in officiating to the 4th and 5th Virginia regiments, from 3d November, 1776, to 28th April last, being 5 months and 26 days, at 41 60-90ths dollars, per month, 243 52-90ths dollars :

*Ordered*, That the said accounts be paid.

*Ordered*, That a warrant issue to the treasurer, to transmit from Maryland to the auditor-general, one million of dollars, for which the said auditor is to account.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## SATURDAY, August 9, 1777.

Congress took into consideration the report of the medical committee on the memorial of Dr. John Morgan, wherein they set forth, that Dr. Morgan was appointed director-general and chief physician of the hospital, in the room of Dr. Church, October 17, 1775 ; that, on the 9th of January, 1777, he was dismissed from the said appointment ; that though no cause is assigned for his discharge, yet, upon enquiry, they find, that the general complaints of persons of all ranks in the army, and not any particular charges against him, together with the critical state of affairs at that time, rendered it necessary for the public good and the safety of the United States, that he should be displaced, and were the reasons of his dismissal ; that the doctor's memorial appears to be a hasty and intemperate production ; notwithstanding which, as he conceives himself injured, and requests an enquiry into his conduct, they are of opinion that he ought to be heard, and that a committee of Congress should be appointed for that purpose :

*Resolved*, That Congress agree to the said report.

The medical committee, to whom was referred the letter from Dr. W. Rickman, report, "that as the establishment of the military hospital in Virginia, by a resolution of Congress of the 18th of May, 1776, is entirely distinct from, and independent of, the general establishment of hospitals in the other states, they are of opinion, the same was not affected by the new regulations of the 7th April last, and that Dr. Rickman still continues director of that hospital ;" Whereupon,

*Resolved*, That Congress agree to the said report.

*Ordered*, That a copy of the foregoing report and concurrence of Congress be sent to Dr. Shippen, and that he be directed to withdraw from Virginia such physicians, surgeons, or assistants, as he may have sent thither.

*Resolved*, That the board of treasury be directed to order Mr. Hillegas, the treasurer, together with the treasury and printing-press under his care, to remove to Philadelphia as soon as they judge the state and situation of public affairs will admit :

That the board of treasury be directed to take into consideration, and report, a proper compensation to Mr. Hillegas, for his past and future services.

Congress proceeded to the election of a deputy commissary-general of purchases, in the room of Jeremiah Wadsworth, esq. resigned ; and, the ballots being taken,

Peter Colt, esq. was elected.

A letter, of this day, from general Washington, with sundry papers enclosed, was read.

*Resolved*, That the board of war be directed to confer with Mr. Boudant, the commissary of prisoners, and report, as soon as possible, on the manner in which the prisoners under his charge ought to be treated.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That such troopers of the North-Carolina light-horse, under the command of capt. Martin Phifer, capt. Cosmo Medici, and capt. Samuel Ash, as shall enlist for three years, or during the war, be furnished with horses, and properly accoutred, and that those men who will not so enlist, return home to North-Carolina under proper officers.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

MONDAY, *August 11, 1777.*

Mr. Harrison, Mr. Joseph Jones, and Mr. F. L. Lee, three of the delegates from Virginia attending, produced the credentials of their appointment, which were read, as follows :

" VIRGINIA. *In General Assembly, 22d May, 1777.*

*Resolved*, That Benjamin Harrison, George Mason, Joseph Jones, Francis Lightfoot Lee, and John Harvie, esqrs. be appointed delegates to represent this state in Congress for one year, from the 11th August next, they having been chosen for that purpose by joint ballot of both houses. June 26, 1777.

*Resolved*, That Richard Henry Lee, esq. be appointed a delegate to represent this state in general Congress, from the 11th of August next, until the 10th day of May following, he having been chosen for that purpose, by joint ballot of both houses, in the room of George Mason, esq. who hath declined the said appointment.

A copy,

JOHN TAZEWELL, C. H. D."

A letter, of the 4th, from gen. Schuyler, at Stillwater ; two, of the 9th, from gen. Washington ; one from the viscount de Mouroy ; one from Mons. de Vrigny, and one from Mons. Valfort, were read.

The marine committee laid before Congress a letter of the 28th July, from Isaac Smith, Ebenezer Storer and William Phillips, commissioners appointed

ed to settle the accounts of the continental agents, which were read, and wherein they set forth, that they have settled William Bartlett's account, and find a balance due to him from the states, of 15,013 60-90 dollars, and to Jonathan Glover, esq. 55,091 47-90 dollars, being the balance of his account; that they would have complied with the orders of the marine committee to pay these balances, but cannot find any person who wants the money in Philadelphia, and as Messrs. Bartlett and Glover are in great want of the money, in order to settle with the captors, they have advised them to send a person express for this purpose; Whereupon,

*Resolved*, That an order be drawn on the commissioner of the loan-office, in the state of Massachusetts-Bay, in favor of Isaac Smith, Ebenezer Storer, and William Phillips, for 70,105 1-6 dollars, for the payment of the balances due to Messrs. Bartlett and Glover.

*Ordered*, That the letter from general Washington, with the memorial from the board of general officers respecting rations, be referred to a committee of three:

The members chosen, Mr. Wilson, Mr. J. B. Smith, and Mr. W. Smith.

A letter from general Washington was read, relative to the defence of the river Delaware.

A letter, of the 9th, from Arch. Stewart to Charles Stewart, was laid before Congress and read, wherein he mentions the declining state of his health, and expresses his concern that it is not in his power, on account thereof, to accept of the office of deputy commissary-general of issues, and hopes he will not incur blame for not accepting an office, the duties of which he has not the least prospect of being able to perform; Whereupon,

*Resolved*, That his resignation be accepted, and that to-morrow be assigned for appointing a deputy commissary-general of issues.

A memorial from Mons. du Portail was read.

*Ordered*, That it be referred to the board of war.

*Resolved*, That Mons. du Coudray be appointed inspector-general of ordnance and military manufactories, with the rank of major-general.

*Resolved*, That a committee of four be appointed to define the powers to be granted to, and exercised by Mons. du Coudray:

The members chosen, Mr. Wilson, Mr. Duane, Mr. Heyward, and Mr. S. Adams.

A memorial from Thomas M'Coy, and one from James Wilson, were read:

*Ordered*, That the former be referred to the board of treasury, and the latter to the board of war.

*Ordered*, That the memorial and petition of P. Minis be referred to the board of treasury.

*Ordered*, That the letter from general Washington, respecting the defence of the river Delaware, be referred to the board of war, and that they be directed to carry into execution the general's plan with all possible despatch.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## TUESDAY, August 12, 1777.

Mr. R. H. Lee attended and took his seat.

A letter, of the 9th, from general Mifflin, and one, of the 8th, from Mr. J. Hudson, were read:

*Ordered*, That they be referred to the board of treasury.

A letter and memorial from count Pulaski was read.

A letter from gen. Washington to brigadier-gen. Thompson, with sundry papers enclosed, was laid before Congress and read:

*Ordered*, That the same be referred to the board of treasury.

*Resolved*, That four members be added to the board of treasury:



The members chosen, Mr. Laurens, Mr. Folsom, Mr. Harnett, and Mr. Dyer.

*Resolved*, That William Molliston be appointed a third lieutenant in the navy of the United States, and commissioned accordingly.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That there be paid to Isaac Guion, acting as pay-master to the 4th and 7th battalions of continental troops, raised in the state of North-Carolina, 6000 dollars, one-half thereof for the use of each of the said battalions respectively, the said pay-master to be accountable:

That a warrant be drawn by the president on John Lawrence, esq. commissioner of the loan-office, in the state of Connecticut, in favor of Samuel Downe, esq. one of the commissioners of accounts, for 600 dollars, in which he is to be accountable:

*Resolved*, That the remainder of the report, together with the resolutions passed the 1st instant, respecting the emission and appropriation of one million of dollars, be re-committed to the board of treasury.

At the request of Mr. Heyward to be excused from serving on the committee of commerce,

*Resolved*, That he be excused, and that Mr. Laurens be appointed a member of the said committee in his stead.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Ezra Patterson, a serjeant in colonel Hart's battalion of flying-camp, for his pay from 17th October, 1776, to 1st January, 1777, being 2 months and 14 days, at 8 dollars a month, 19 60-90 dollars:

To the Rev. Mr. M'Murdie, for his extra services in officiating as chaplain to colonel Jacob Clootz's battalion, from 18th October, 1776, to 1st January 1777, 2 month and 13 days, at 20 dollars a month, 48 60-90 dollars:

To the Rev. Mons. Lotbinier, for one month's pay and rations as chaplain, from 10th July to 10th instant, 48 dollars, also, for the difference of pay which took place 11th April last, in the pay of chaplains, he having received only at the rate of 33 1-3d dollars per month, whereas the pay was 40 dollars per month, the difference 6 2-3 dollars per month, for three months, is 20 dollars:

To brigadier-general Weedon, a balance of his contingent account, amounting to £ 287 17 6, of which he received by brigadier-general Lewis's warrant at Williamsburg, £ 250; the balance, in Virginia currency, is £ 37 17 6, equal to 126 22-90 dollars:

*Ordered*, That the said accounts be paid.

An extract from the minutes of the supreme executive council of Pennsylvania was laid before Congress, and read as follows:

"IN COUNCIL, PHILADELPHIA

*Ordered*, That information be given to C esq. late governor of Pennsylvania, and justice, register of wills, and of the gove been made prisoners, agreeable to the rec both refuse to sign a parole of any kind; immediately to order them to be removed t

Extract from the minutes,

TIMOT

*Whereupon, Ordered*, That the board of veyance of those gentlemen under guard 1 and that the governor of Virginia be request for the reception of those gentlemen, and to and entertained, agreeable to their rank an

Congress took into consideration the report of the committee on the state of the army, and, after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *August* 13, 1777.

A letter, of the 12th, from general Washington, at the Cross Roads; one of this day, from the Marquis de la Fayette; and one, of the 12th, from W. Buchanan, with a list of provisions stored by Joseph Trumbull, esq. were read;

*Ordered*, That they be referred to the board of war.

A motion was made, "that the execution of the order of Congress relative to the removal of John Penn and Benjamin Chew, esqrs. be suspended, till such time as the board of war shall deem essential to the public safety to carry it into execution; and that in the mean while they be authorized, on an application in writing from those gentlemen, to admit them to such paroles as they shall deem necessary to secure the public safety;" and the previous question being moved and put, whether that question be now put?

Passed in the negative.

A motion was made as follows: Whereas it is represented to Congress, that the honourable John Penn, esq. and Benjamin Chew, esq. who were ordered yesterday to be conveyed by the board of war to Fredericksburgh, in Virginia, are now willing to give their parole:

*Ordered*, That the board of war take such parole from the said gentlemen as they may think proper, and thereupon, that the order of yesterday for the removal to Virginia be suspended:

The previous question was moved, Whether that question be now put? on which the states were equally divided, 12 being present.

The question was then put on the motion, and the states were divided.

At the request of Maryland and New-Jersey, the yeas and nays were called for and are as follows:

YEAS.			
Mr. Duane, Duer, Morris, Wilson,	Mr. Clymer, Vandyke, Chase, Middleton,	Mr. W. Smith, Paca, Harrison, Jones,	Mr. Burke, Penn, Harnett.
NOES.			
Mr. Folson, Frost, S. Adams, J. Adams,	Mr. Gerry, Lovell, Marchant, Dyer,	Mr. Law, Sergeant, Elmer, Roberdeau,	Mr. J. B. Smith, F. L. Lee, Laurens, Heyward.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Ordered*, That 200 dollars be advanced to the chevalier du Portail, 150 dollars to lieutenant-colonel de la Radiere, and 150 dollars to major Gouvoin; for which they are respectively to be accountable:

That 2000 dollars be advanced to viscount de Mouroy, for himself and his suite, for which he is to be accountable:

That 2000 dollars be advanced to baron de Kalb, for himself and his suite, for which he is to be accountable:

That 30,000 dollars be advanced to William Buchanan, esq. commissary-general of purchases, for the use of his department, he to be accountable:

That a warrant issue for 150,000 dollars, in favor of Anthony Butler, agent to major-general Mifflin, quarter-master general, for the use of his department, and for which he is to be accountable, agreeable to his application to Congress by letter, dated the 9th instant:

That there be paid to Elbridge Gerry, esq. 114 45-90 dollars, for the expense of a committee of Congress to the army in this month :

That there be advanced to Jacob Blount, appointed by the state of North-Carolina, pay-master to the continental troops raised in that state, and to be delivered to William Blount, his agent, 2000 dollars, for arrears of pay due to the said battalions, incurred while he officiated, and before the appointment of regular regimental pay-masters ; he to be accountable :

That there be paid to Dr. Elmer, 35 dollars, for his expenses in visiting the hospitals, agreeably to the directions of the medical committee :

*Resolved*, That the remainder of the report be postponed till to-morrow.

The committee on foreign applications brought in a report :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The board of war brought in a report :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, August 14, 1777.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to colonel Lewis Nicola, for the pay of four companies of city guards, to the 2d inst. being one month, 2070 50-90 dollars.

To lieutenant-colonel Jonathan Jones, his pay as major, in the 2d Pennsylvania regiment, from the 25th of December, 1776, to the 25th of February, 1777, being two months, at 50 dollars a month, 100 dollars ; and for his pay as lieutenant-colonel in the said regiment, from the 25th of February, to the 5th of April, one month and nine days, at 60 dollars, 78 dollars ; the whole amounting to 178 dollars :

To Charles Thomson, for sundries paid for by him to Andrew McNair, late door-keeper to Congress ; to Benjamin Randolph, for boxes to hold the papers of Congress ; to David Evans, for two tables ; and for freight and portorage of a box of papers from Baltimore, 56 30-90 dollars :

*Ordered*, That the said accounts be paid.

Congress proceeded to the election of a deputy commissary-general of issues, and the ballots being taken,

Robert White, esq. was elected.

A letter from the hon. John Penn, esq. requesting Congress to admit him to his parole, and a memorial from B. Chew, esq. containing the same request, were laid before Congress and read : Whereupon, a motion was made, "that it be ordered that the board of war take such parole from the gentlemen as they may think proper, and that the order of Tuesday last for their removal to Virginia, be superseded :"

An amendment was then moved, after "the board of war," to insert "with the concurrence of the executive council of Pennsylvania :"

Passed in the negative.

At the request of Rhode-Island, the yeas and nays were called for, are as follows :

#### YEAS.

Mr. Folsom, S. Adams, Gerry,	Mr. Lovell, Marchant, Dyer,	Mr. Law, Sergeant, J. B. Smith,	Mr. Roberdon, Laurens.
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#### NAYS.

Mr. Frost, J. Adams, Duane, Duer, Morris,	Mr. Wilson, Clymer, Vandyke, Chase, Paca,	Mr. W. Smith, Harrison, Jones, F. L. Lee, Burke,	Mr. Harnett, Penn, Middleton, Heyward, Walton
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shall extend to the said one million to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient:

*Resolved*, That all former resolutions of Congress respecting the premises be repealed.

A memorial from Nicholas Garret, was read:

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred the petition of Peter Knight and John Green, report, "That, having heard the argument of counsel upon the said petition, they are of opinion, from the particular circumstances of the case, that the appeal of the said Knight and Green, from the sentence of the court of admiralty for the state of Georgia, in the cause major John White and lieut. Hardy, against the sloop Polly, &c. should be received and heard, notwithstanding the said appeal was not entered within five days, or lodged within forty days, as directed by the resolve of Congress; Whereupon,

*Resolved*, That the appeal be received.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, *August* 16, 1777.

A letter, of the 15th, from general Washington, at the Cross-Roads; one, of the 10th, from general Schuyler, at Albany; one, of the 7th, from colonel G. Morgan, at Fort-Pitt, with the minutes of a treaty held with the Indians; also, a letter from brigadier-general Hand to the board of war, were read:

*Ordered*, That a copy of the letter from general Washington be sent to the supreme executive council of Pennsylvania, and that they be requested to have the general's views carried into execution with all possible despatch.

*Resolved*, That a committee of five be appointed to take into consideration the state of the western frontiers, and the northern department, and report thereon with all convenient despatch:

The members chosen, Mr. Duer, Mr. R. H. Lee, Mr. Wilson, Mr. J. Adams and Mr. Chase.

*Resolved*, That Monday next be assigned for taking into consideration the articles of confederation.

*Resolved*, That the report of the committee on the treasury, on the ways and means of raising supplies for carrying on the war, be referred to a committee of the whole.

*Ordered*, That the letters lately received from the commissioners at Paris, be referred to the said committee.

Congress was then resolved into a committee of the whole, and after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the matters referred to them, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will, on Monday next, resolve itself into a committee of the whole, to consider farther the ways and means for raising supplies to carry on the war.

*Resolved*, That 300 dollars be advanced to Daniel Joy, for public service, he to be accountable:

That 300 dollars be advanced to R. Peters, esq. secretary of the board of war, for contingent expenses, he to be accountable.

The committee on the western frontiers and northern department, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That general Washington be informed, that, in the opinion of Congress, 500 riflemen, under the command of an active and spirited officer, should be immediately sent into the northern department, to assist in opposing the incursions of the enemy in that quarter.

The committee report, that they have not had time to consider the whole matter referred to them, and therefore desire leave to sit again:

Congress took into consideration the report of the board of treasury of the 13th, and thereupon, came to the following resolutions:

Whereas, the state of Georgia has advanced very considerable sums of money, for the pay and subsistence of continental troops employed by the directions of Congress, in the defence of that state, and for that, and other continental uses, emitted bills of credit and certificates, which they are very desirous should be redeemed and cancelled; and it being just and reasonable that the accounts of such expenditures should be forthwith settled, and the balance which shall appear to be due from the United States paid, and that a further provision should be made for supplying the military-chest, in Georgia, with money, for the pay and subsistence of the troops stationed in that state for the future:

*Resolved, therefore,* That commissioners of accounts be appointed to state and settle all accounts and claims respecting the United States, which have arisen or shall arise in North-Carolina, South-Carolina and Georgia, and that they repair, without delay, to Georgia, and examine and adjust all continental accounts with that state, or any officers or individuals within the same, and that they be empowered to receive and pay the balances of accounts, as they shall be respectively owing to, or from, the United States, and report their proceedings to the treasury board, in order to their being laid before Congress and finally confirmed.

*Resolved,* That 400,000 dollars be remitted to the state of Georgia, on account of the monies so advanced by that state, for the use of the United States; that such sum be paid out of the money hereafter directed to be emitted, unless the board of treasury shall be of opinion, that it may be sooner spared from the treasury, in which case a warrant shall issue on their application without respect to the said emission: That the warrant shall be drawn on the treasurer at Baltimore, or auditor-general, as, in the opinion of the board of treasury, shall be most convenient, and in favor of the board of war, who are to transmit the money to the said state, for the sole purpose of calling in, exchanging and cancelling all such bills of credit and certificates as have been emitted by that state, for the pay and subsistence of the troops of the United States and other continental purposes:

That another warrant shall issue in the manner prescribed by the preceding resolution, in favor of the board of war, for 300,000 dollars, to be remitted by them to the deputy pay-master general, for the pay and subsistence of the continental troops in Georgia:

That if, on the settlement of accounts between the United States and the state of Georgia, less shall appear to be due to that state than the sum directed to be transmitted, the surplus shall be paid by the said state into the hands of Joseph Clay, esq. deputy pay-master general in Georgia, whose receipt shall be a sufficient voucher; but, if more shall appear to be due to the said state, the balance shall be paid to the said state by the said deputy pay-master general, on the warrants of the commissioners who shall adjust the account.

*Resolved,* That as a fund for the above and other purposes, one million of dollars be emitted under the direction of the treasury-board, and on the faith of the United States: that the bills shall, excepting the numbers, be of the same tenor and date as the emission now executing, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations, to wit: 15,384 bills of the denomination of 3 dollars, the like number of 4 dollars, the like number of 5 dollars, the like number of 6 dollars, and the like number of 7 dollars respectively, and 15,385 of the denomination of 2 dollars, and the like number of 8 dollars, and the like number of 30 dollars respectively:

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the said emission now executing



shall extend to the said one million to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient:

*Resolved*, That all former resolutions of Congress respecting the premises be repealed.

A memorial from Nicholas Garret, was read:

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred the petition of Peter Knight and John Green, report, "That, having heard the argument of counsel upon the said petition, they are of opinion, from the particular circumstances of the case, that the appeal of the said Knight and Green, from the sentence of the court of admiralty for the state of Georgia, in the cause major John White and lieut. Hardy, against the sloop Polly, &c. should be received and heard, notwithstanding the said appeal was not entered within five days, or lodged within forty days, as directed by the resolve of Congress; Whereupon,

*Resolved*, That the appeal be received.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, August 16, 1777.

A letter, of the 15th, from general Washington, at the Cross-Roads; one, of the 10th, from general Schuyler, at Albany; one, of the 7th, from colonel G. Morgan, at Fort-Pitt, with the minutes of a treaty held with the Indians; also, a letter from brigadier-general Hand to the board of war, were read:

*Ordered*, That a copy of the letter from general Washington be sent to the supreme executive council of Pennsylvania, and that they be requested to have the general's views carried into execution with all possible despatch.

*Resolved*, That a committee of five be appointed to take into consideration the state of the western frontiers, and the northern department, and report thereon with all convenient despatch:

The members chosen, Mr. Duer, Mr. R. H. Lee, Mr. Wilson, Mr. J. Adams and Mr. Chase.

*Resolved*, That Monday next be assigned for taking into consideration the articles of confederation.

*Resolved*, That the report of the committee on the treasury, on the ways and means of raising supplies for carrying on the war, be referred to a committee of the whole.

*Ordered*, That the letters lately received from the commissioners at Paris, be referred to the said committee.

Congress was then resolved into a committee of the whole, and after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the matters referred to them, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will, on Monday next, resolve itself into a committee of the whole, to consider farther the ways and means for raising supplies to carry on the war.

*Resolved*, That 300 dollars be advanced to Daniel Joy, for public service, he to be accountable:

That 300 dollars be advanced to R. Peters, esq. secretary of the board of war, for contingent expenses, he to be accountable.

The committee on the western frontiers and northern department, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That general Washington be informed, that, in the opinion of Congress, 500 riflemen, under the command of an active and spirited officer, should be immediately sent into the northern department, to assist in opposing the incursions of the enemy in that quarter.

The committee report, that they have not had time to consider the whole matter referred to them, and therefore desire leave to sit again:

*Ordered*, That leave be granted.

*Resolved*, That the president and supreme executive council of Pennsylvania, be requested to give brigadier-general Hand such assistance from the militia of the counties of Westmoreland, Northumberland and Bedford, as general Hand may think necessary.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

MONDAY, *August* 18, 1777.

A letter, of the 8th, from general Schuyler, with a copy of a letter from general Lincoln; one, of the 16th, and two, of the 17th, from general Washington; one, of the 6th, from S. Hopkins, with a copy of the journal of proceedings of a committee from the four New-England states and New-York:

*Ordered*, That so much of the foregoing letters as relate to the northern department, be referred to the committee on the state of the western frontiers and northern department; that the remainder of the general's letters be referred to the board of war; that the letter from the hon. S. Hopkins, esq. with the journal accompanying it, be referred to a committee of three:

The members chosen, Mr. Laurens, Mr. Jones, and Mr. Witherspoon.

A memorial from J. Wynkoop was read:

*Ordered*, That it be referred to the board of treasury.

A letter, from governor Henry, of Virginia, to the delegates of that state, with sundry papers enclosed, was laid before Congress, and read:

*Ordered*, That the same be referred to the board of war.

Congress being moved to pass sundry resolutions,

*Ordered*, That the same be referred to the marine committee.

Congress took into consideration a report from the board of treasury; Whereupon,

*Ordered*, That there be advanced to capt. George Price, of col. Morgan's 11th Virginia battalion, for the use of his company lately raised, and now on their march to camp, 2000 dollars, to be charged to the said battalion.

*Ordered*, That the sum of 500 dollars be advanced to the commissioners of accounts, at the treasury-office, for the purpose of paying arrearages due to prisoners, for which the said commissioners are to be accountable.

*Ordered*, That there be advanced to captain Samuel Kearsley, of an independent company of continental troops, 1000 dollars, to purchase blankets for the said company and captain Irwin's independent company, by the special order of general Washington, and the approbation of the clothier-general; the said captain Kearsley, to be subject to the directions of the clothier-general, and to account to him for the expenditure of the money, which is to be charged to the account of the clothier-general:

*Ordered*, That there be advanced to colonel le chevalier de Lesser and to colonel le chevalier de Valcourt, respectively, 450 dollars; and to captain de Vrigney, 240 dollars, for which they are severally to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due, to captain George May, of colonel Haller's battalion of Berks county flying-camp, for sundry meals supplied his company, previous to their joining the flying camp; also, for sundry flints delivered colonel Haller, and for three gun-locks, lost at Fort-Washington, 75 8-90 dollars:

To Abraham Holmes, for sundry meals supplied the militia on their march through Lancaster to camp, 11 12-90 dollars:

To Thomas M'Coy, late ensign in the 7th Pennsylvania regiment, a balance of his account, for pay and rations, from the 1st October, 1776, to the 10th of August, 1777, the said M'Coy having been made prisoner in Canada, and lately exchanged at Halifax, 185 23-90 dollars:

To lieut. Willam Allen, of captain Green's company of the Lancaster county flying-camp, for subsistence, paid by him, for men of his company, for flints, powder-horns and shot-pouches, lost on Long-Island, and for the pay due to one lieutenant and three privates, which he advanced, 83 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That the report of the board of war of the 14th be re-committed.

Congress was resolved into a committee of the whole, to consider farther the report of the committee on the ways and means of raising supplies for carrying on the war, and after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have considered farther the report referred to them, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will, to-morrow, resolve itself into a committee of the whole, to consider the report of the treasury, on the ways and means of raising supplies for carrying on the war.

*Ordered*, That 2000 dollars be advanced to the state of Maryland, to be paid to the delegates of that state, which is to be accountable.

A petition, from William Pyot, and one from Lawrence Greenholm, were presented to Congress:

*Ordered*, That they be referred to the board of war.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow,

#### TUESDAY, August 31, 1777.

A letter, of the 13th, from general Washington, was read.

*Resolved*, That the Hessian field-officers and colonel Campbell, be admitted to their parole, on the terms prescribed for officers who are prisoners.

The committee appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Fort-Independence, and into the conduct of the general officers in the northern-department, at the time of the evacuation, brought in a report, which was read:

*Ordered*, To lie for consideration.

Congress resolved itself into a committee of the whole, to consider farther the report of the board of treasury, on the ways and means of raising supplies for carrying on the war, and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have considered farther the matter referred to them, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will, to-morrow, resolve itself into a committee of the whole, to consider farther the report of the board of treasury, on the ways and means of raising supplies for carrying on the war.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be advanced to captain William Peery, of an independent company, stationed at Lewistown, in the state of Delaware, 500 dollars, for the pay and subsistence of the said company, for which he is to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to captain William Peery, of an independent company, appointed by Congress to guard Lewistown, and the pilots and others in that quarter, on a pay-roll due to a company of militia which he commanded, also on a pay and subsistence roll due to his independent company to the 1st inst. also on a doctor's and blacksmith's bills, amounting, in the whole, to \$542 63-90 dollars, of which he received of president M<sup>r</sup> Kinley, of the state of Delaware, 1500 dollars; a balance of 2042 63-90 dollars:

To James Hopkins, his account of eight men's services for 30 days each,

by order of general Washington, on a secret expedition down the river Delaware 491 75-90 dollars :

To Robert Lunn, late a serjeant in captain Vernon's company of colonel Wayne's battalion, 10 months and 26 days half-pay, being from the time he was regularly discharged to the time of his inlisting in colonel Nicola's corps of invalids, amounting, in the whole, to 43 42-90 dollars, of which he received, from Mease & Caldwell, 4 dollars ; the remainder 39 42-90 dollars.

*Ordered*, That the said accounts be paid.

The board of war brought in a report, which was taken into consideration ; Whereupon,

Congress taking into consideration the letter from governor Henry, of Virginia, to the delegates of that state, in Congress :

*Resolved*, That any officer now in colonel Harrison's regiment of artillery, shall have liberty to leave the said regiment on being appointed to any office or command in the corps of artillery raising, or to be raised in Virginia, by the said state, and that the said col. Harrison's regiment be under the direction of his excellency gov. Henry, during the time of its stay in that state.

*Resolved*, That this Congress will, on all occasions, discountenance and punish any indecent behaviour of any officer or officers in the continental service, towards the civil authority of the several states.

*Resolved*, That a copy of gen. Lincoln's letter be forthwith transmitted to the council of New-Hampshire, and that they be informed that the instructions which general Stark says he has received from them, are destructive of military subordination, and highly prejudicial to the common cause at this crisis ; and therefore that they be desired to instruct general Stark to conform himself to the same rules which other general officers of the militia are subject to, whenever they are called out at the expense of the United States.

*Ordered*, That the remainder of the report lie for farther consideration.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, August 20, 1777.

A letter, of the 2d, from Benjamin Harrison, esq. deputy pay-master general in the southern department, was read.

*Resolved*, That the pay of the pay-master general be increased to 150 dollars a month :

That the pay of the deputy pay-master general be increased to 75 dollars a month.

The marine committee, to whom certain motions were referred, brought in a report, which was read :

*Ordered*, To lie for consideration.

A letter, from the president and council of Pennsylvania, to the delegates of that state in Congress, was laid before Congress and read :

*Ordered*, That the consideration thereof be postponed till to-morrow, and that the deputy muster-master general immediately muster the militia of Pennsylvania, that are now in the field, beginning with those at Chester.

Congress took into consideration the report of the committee on the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Fort-Independence, and into the conduct of the general officers who were in the northern department at the time of the evacuation ; and, after debate thereon,

*Resolved*, That it be re-committed.

The committee on the state of the western frontiers and the northern department, brought in a farther report, which was taken into consideration : Whereupon,

**Resolved,** That general Washington be directed to call on the governor of New Jersey for 1000 men, to relieve a like number of the militia of the state of New-York, at present employed in garrisoning the forts on Hudson's river, in order that the said militia may be employed in repelling the invasion of the enemy on the frontiers of that state :

That an extract of col. George Morgan's letter, which relates to a farther supply of money, be referred to the board of treasury.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

THURSDAY, August 21, 1777.

A letter, of the 20th, from gen. Washington, enclosing an extract of a letter, of the 15th, from general Schuyler, was read ; also a letter, of the 15th, from gen. Schuyler, with an address to him from six general officers, requesting him that, on his being relieved, previous to his leaving the country, he will use his influence with the militia, that, without loss of time, they join the army, a measure necessary for their own, as well as for the safety of the public, relying on it, should he be detained on this important business, his doing it will be approved by Congress.

**Ordered,** That the extract of the letter from gen. Schuyler to gen. Washington, be referred to the committee of intelligence ; and that the letter from gen. Schuyler be referred to the board of war :

Congress being informed that there is a large quantity of tar collected at Wilmington, in North-Carolina, and that the enemy's fleet is now upon the southern coast :

**Resolved,** That it be earnestly recommended to the executive power of North-Carolina, to cause all the military and naval stores in the said state, to be removed to places of security, with all possible expedition, it being of great consequence to the United States, that the same should not fall into the enemy's hands ; that the said stores be destroyed rather than possessed by the enemy.

**Resolved,** That a committee of five be appointed to consider the state of South-Carolina and Georgia :

The members chosen, Mr. Laurens, Mr. R. H. Lee, Mr. Wilson, Mr. Harnett, and Mr. Chase :

**Ordered,** That the committee sit this afternoon, and report as soon as possible.

Congress took into consideration a report of the board of war of the 23d July ; Whereupon,

**Resolved,** That Allan M'Donald, of Kingsborough, North-Carolina, a captain in the British regular service, be permitted to go into New-York to negotiate an exchange for himself and his son, a lieutenant in the same service ; he to give his parole not to convey to the enemy or bring back any intelligence whatever of a political nature, and to return in a certain time to be fixed by his parole or when called for, on behalf of the United States.

Congress took into consideration the report of the marine committee :

**Resolved,** That if, upon due consideration, jointly had by the navy-board for the eastern department, and the governor and council of war for the state of Rhode-Island, and for which purpose the said navy-board are directed to attend upon the said governor and council of war, the preparing fire-ships be judged practicable, expedient, and advisable, the said navy-board immediately purchase, upon as reasonable terms as possible, six ships, or square-rigged vessels, at Providence, in the state of Rhode-Island and Providence Plantations, the best calculated for fire-ships ; that they employ proper persons to fit and prepare the said fire-ships with all possible expedition ; that the said navy-board provide proper materials for the same, and employ a



proper captain or commander, one lieutenant, and a suitable number of men for each of the said ships or vessels, of approved courage and prudence; and that notice be given to all the commanders of the continental ships and vessels in the port of Providence, to be in readiness to sail at a moment's warning: That, as soon as the said fire-ships are well prepared, the first favorable wind be embraced to attack the British ships and navy in the rivers and bays of the state of Rhode-Island and Providence Plantations: that the officers of the continental navy there favor, as much as possible, this design, and use their utmost efforts to get out to sea, and proceed upon such cruise, or to such ports as the said navy-board, or the marine committee, shall appoint or order.

*Resolved*, That the governor of the state of Rhode-Island and Providence Plantations and the council of war of that state, be acquainted with the foregoing resolve; and that they be requested to afford every assistance in their power in effecting the above purposes.

*Resolved*, That general Spencer be informed of the foregoing resolves, and that he be instructed to favor, as far as possible, the said designs, by such attacks or feints as he may judge proper with the troops and boats under his command.

*Resolved*, That secrecy, as much as possible, be recommended in carrying into execution the foregoing resolutions.

*Resolved*, That 4000 dollars be paid to the officers and men on board every fire-ship or vessel which shall actually set on fire and destroy any one of the enemy's ships of war, in any of the bays, rivers or harbors, in the state of Rhode-Island and Providence Plantations, of 20 guns or upwards; and 3000 dollars for every ship or vessel of war under 20 guns; and 1500 dollars for every transport; the proof of the execution done to be certified by the commander or commanding officer, or by the oath of such person or persons as may be witness to the fact.

*Resolved*, That the rewards aforesaid, shall be divided in the following proportion: one-fourth to the captain or commander of such fire-ship or vessel, one-seventh to the lieutenant, and the remainder to the crew, to be equally divided amongst them.

*Ordered*, That the marine committee collect the best intelligence and instructions they can, respecting the best method of constructing fire-ships, and send the same to the navy-board of the eastern department.

*Ordered*, That the board of war direct Messrs. Hughes, of Maryland, to deliver to the order of the governor of that state, 4 twelve pounders, to be paid for, or returned by that state.

The committee on foreign applications, brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That a commission of lieutenant-colonel be immediately given to the chevalier de Failly, and that he be paid in that rank from the 1st of December last, and ordered to repair forthwith to the northern army:

*Resolved*, That Mons. Epiniers receive a commission of captain.

*Resolved*, That the remainder of the report lie for farther consideration.

Congress took into consideration the memorial of colonel Hazen, the report thereon of the board of treasury, and the commissioners for auditing claims; and, after debate,

*Ordered*, That the consideration thereof be postponed.

A letter, of this day, from general Washington, was read: Whereupon, Congress adjourned for two hours.

FIVE O'CLOCK, P. M.

Congress took into consideration the letter from general Washington, and the proceedings of a council of war enclosed therein: Whereupon,

*Resolved*, That Congress approve the plan of marching the army toward

Hudson's river, and then that general Washington act as circumstances may require.

A letter, of the 18th, from general Schuyler, was read :

*Ordered*, That it be referred to the committee of intelligence.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

**FRIDAY, August 22, 1777.**

Two letters, of the 21st, from General Washington, one of them enclosing a letter, of the 20th, from general Newcomb, were read :

*Ordered*, That they be referred to the board of war.

*Ordered*, That the board of war send to Virginia, with all possible despatch, four brass field-pieces, if the public service will admit.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That there be advanced to Thomas Butler, continental armor-er, 1600 dollars, for the use of his department, he to be accountable :

That there be advanced to Everhart Michael, esq. pay-master of the German battalion, 2000 dollars, for the use of the said battalion, for which he is to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Jacob Hincle, for 136 meals supplied the militia of Cumberland county, on their march to camp, 13 54-90 dollars :

To lieutenant Nicholas Garret, late of col. Magaw's regiment, a balance of his account for his pay and for bounty money advanced to ten men he recruited, as also their subsistence and inlisting money, &c. amounting to £ 178 7 9, of which he received from major Benezet, £ 135, the balance being 115 63-90 dollars, to be paid to him, and charged to the said regiment :

*Ordered*, That the said accounts be paid.

Advice being received that the enemy's fleet are in Chesapeake-Bay between Rock-Hall and the mouth of Patapsco river,

*Ordered*, That the board of war give immediate orders for removing the prisoners and public stores from Lancaster and Yorktown, to places of greater security :

That the board of treasury take immediate and effectual measures for the security of the treasury at Baltimore :

That the president write to captain Nicholson, and inform him, it is the desire of Congress, in case his vessel cannot be saved from falling into the hands of the enemy, otherwise than by destroying her, that in that case he destroy her, saving as much of her tackle, furniture and stores as he can.

*Resolved*, That general Washington be informed, by express, of the intelligence Congress hath this day received, of the British fleet being advanced high up the bay of Chesapeake, and, therefore, that it is probable that the enemy have the city of Philadelphia in contemplation ; that as the distance from the head of the said bay to this city is so small, Congress wish the general, in consequence of this information, to proceed in such manner, as shall appear to him most conducive to the general interest, notwithstanding the resolution of yesterday, concerning his progress to the North-River.

*Resolved*, That Mr. Jones, Mr. Chase, and Mr. Roberdeau, be a committee to prepare a resolution for calling forth the militia of Pennsylvania, and the neighboring states.

Congress adjourned to five o'clock.

**FIVE O'CLOCK, P. M.**

*Resolved*, That Lodowig Sprogle be empowered and directed to muster the militia of Pennsylvania instead of the deputy-muster master general, whose indisposition prevents his performing that service.

The committee appointed to prepare a resolution for calling forth the militia, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That it be earnestly recommended to the state of Maryland, immediately to call out not less than 2000 select militia, to repel the expected invasion of the states of Pennsylvania, Delaware and Maryland; that 1250 of the militia on the Western-shore of Maryland, repair, as soon as possible, to Baltimore and Hartford towns; that 750 of the militia on the Eastern-shore, repair as soon as possible to Georgetown, on Sassafra, there to wait the directions of general Washington:

That the state of Pennsylvania be requested to keep up 4000 of their militia to assist in repelling the threatened invasion of the enemy by the way of Chesapeake and Delaware bays; that these rendezvous at Lancaster, Downing-town and Chester, as the council of the said state shall direct, and that they be subject to the orders of general Washington:

That the state of Delaware be requested to call out 1000 of their militia to rendezvous at New-Port and Christiana-Bridge, there to wait the orders of general Washington:

That the state of Virginia be requested to draw out one-third of the militia of each of the counties of Prince-William, Fairfax, Loudon, Berkely, Frederick, Dunmore, Fauquier and Culpepper, and march them to Fredericktown, in the state of Maryland, there to wait the orders of gen. Washington:

That the militia requested from the states aforesaid, be in the pay of the continent to the 30th November next, unless sooner discharged by Congress, or the commander in chief:

That it be recommended to each of the above states, to remove all boats and other craft, provisions, grain, naval and military stores, provender, cattle and live stock, wagons, carts and horses, in the way of the enemy's march, to places of safety, and to destroy what cannot be removed.

That general Washington be directed to order brigadier-general Smallwood and colonel Gist, to repair immediately to the state of Maryland, to arrange, march and command the militia required of that state.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, *August 23*, 1777.

A letter, of the 22d, from general Washington, was read:

Also, a letter of the 21st, from colonel J. E. Howard, at Baltimore; two from governor Johnson; and sundry other letters from divers persons in Baltimore, respecting the enemy's fleet in Chesapeake-Bay; were read.

A letter, from lieutenant Edward Cowan, of captain Weaver's company, was read, praying for leave to resign his commission:

*Ordered*, That he have leave to resign.

*Resolved*, That the president inform general Washington, that Congress never intended by any commission hitherto granted by them, or by the establishment of any department whatever, to supersede or circumscribe the power of general Washington as the commander in chief of all the continental land forces within the United States.

A letter, of this day, from general Washington, was read:

*Ordered*, That it be referred to the board of war.

The committee, to whom was re-committed the report on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Fort-Independence, and into the conduct of the general officers in the northern department, at the time of the evacuation, brought in a report which was taken into consideration; Whereupon,

It was moved instead of "three members of Congress," to insert the "judge advocate with the assistance of \_\_\_\_\_ and \_\_\_\_\_" should conduct the enquiry: Passed in the negative.

It was then moved, that three commissioners, not members of Congress, should conduct the enquiry :

On this the states were equally divided.

The yeas and nays are as follows :

## YEAS.

Mr. Gerry, Lovell, Law, Duane,	Mr. Duer, Witherspoon, Wilson, Clymer,	Mr. Chase, Harrison, F. L. Lee, Jones,	Mr. Harnett, Penn, Middleton, Walton.
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## NAYS.

Mr. Folsom, Frost, S. Adams, Marchant,	Mr. Dyer, Williams, Sergeant, Clark,	Mr. Roberdeau, W. Smith, R. H. Lee,	Mr. Heyward, Laurens, Brownson.
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The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

MONDAY, *August 25, 1777.*

A letter, of the 23d, from gen. Washington, enclosing a copy of a letter of the 11th, from gen. Schuyler, respecting some Caghnawaga Indians ; also, a letter of the 20th, from gen. Gates, at Van Schaack's island ; one, of the 24th, from colonel H. Hollingsworth, at the Head of Elk ; one, of the 13th, from col. G. Morgan, at Fort-Pitt, with a copy of sundry conferences held with the Indians ; and one, of the 16th, from Dr. Shippen, were read :

*Ordered*, That general Washington's letter be referred to the committee on Indian affairs ; that so much of colonel Morgan's letter as relates to money, be referred to the board of treasury, and that the remainder, with the papers enclosed, be referred to the board of war ; that the letter from Dr. Shippen, be referred to the medical committee.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Peter and Daniel Mallet, a balance of their accounts for supplying and paying the nine regiments from North-Carolina, their rations from the time of leaving that state to the 1st of August instant, amounting to 14,613 39-90ths dollars, of which they received from Benjamin Harrison, esq. deputy pay-master general in Virginia, 10,000 dollars, and credit for rations drawn out of the public stores, 1020 30-90ths dollars, and for over charge in rations supplied, 171 2-90ths dollars ; the balance is, 3421 77-90ths dollars :

To colonel Hazen, 800 dollars, being for one hundred half Johannes he paid to lieutenant-colonel Edward Antil of his regiment in February, 1776, to be employed in raising recruits for a regiment of Canadians, and for which sum colonel Antil is to be accountable ; this sum was charged in colonel Hazen's account, reported the 30th of last month, but the commissioners deducted it from the balance, until colonel Antil's receipt should be produced, which is now done :

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That there be advanced to the delegates of the commonwealth of Virginia 19,168 dollars, agreeable to an application from governor Henry of the said commonwealth, by letters dated the 24th of July, and an account of expenditures made by the said commonwealth, for the use of the United States, and for which the said commonwealth is to be accountable :

That there be paid to the chevalier de Failly 380 dollars, in addition to 100 dollars advanced him by a warrant the 6th instant, it being in full of his

pay as lieutenant-colonel, for eight months, from the 1st of December last, and for which he is to be charged :

That a warrant be issued in favor of the board of war for 500,000 dollars, to be sent to the pay-master general for the use of the army, and for which the said pay-master general is to be accountable.

*Resolved*, That the same pay be allowed to the officers who served on board the fleet on Lake-Champlain, as is allowed to officers of equal rank belonging to the navy of the United States.

*Ordered*, That there be advanced to William Buchanan, esq. commissary-general of purchases 100,000 dollars, for the use of his department, he to be accountable.

*Ordered*, That the board of war take speedy and effectual measures for having six thousand stand of arms brought from the magazine at Springfield to head-quarters.

A letter, of this day, from general St. Clair, was read.

A petition, from Henry Sherer ; one, from Jonathan Pearson ; one, from Juliana Zedwitz ; one, from Conrad Miller ; one, from captain Tenet ; and one, from William Bunting, were read :

*Ordered*, That they be dismissed.

A petition, from John Rodgers ; and one, from Bersheba Parsons, were read :

*Ordered*, To lie on the table, and that the petitioners have leave to withdraw them.

A petition, from John Cox, was read :

*Ordered*, To lie on the table.

A memorial from count Pulaski, was read :

*Ordered*, That it be referred to the committee on foreign applications.

A memorial from Lewis John Baptist Chamberon de Dantignac ; a petition, from Margaret Crohon ; one, from Thomas Hill ; one from Shewbert Armitage ; and one, from Mary Quick, were read :

*Ordered*, That they be referred to the board of war.

A memorial from lieutenant Jean Baptist Moargues ; and one, from baron Holtzendorf ; also a petition from Elizabeth Parsons ; and one, from captain Buisben, were read :

*Ordered*, That they be referred to the board of treasury.

A memorial from Leonard Prime and others, officers of the fleet on Lake Champlain, was read :

*Ordered*, That it be referred to the marine committee.

A petition from Levi Hollingsworth and Nicholas Rusk, was read :

*Ordered*, That it be referred to the delegates of Pennsylvania and Maryland.

A letter, of this day, from general Washington, at Chester, enclosing a copy of a letter of the 20th, from general Schuyler, at Albany, with a return of the northern army ; also a copy of one of the 19th, from general Lincoln to general Schuyler, with a copy of general Burgoyne's instructions to lieutenant-colonel Baum, were read :

*Ordered*, That the instructions of general Burgoyne to lieutenant-colonel Baum, be referred to the committee of intelligence.

Congress resumed the report on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Fort-Independence, into the conduct of the general officers in the northern department at time of the evacuation, and the question being put to agree to the first paragraph,

*Resolved* in the affirmative.

The yeas and nays being required by the state of New-Hampshire, as follows :



YEAS.			
Mr. Frost, Folsom, S. Adams, J. Adams, Gerry,	Mr. Lovell, Marchant, Dyer, Williams, Clark,	Mr. Sergeant, Elmer, Roberdeau, R. H. Lee, F. L. Lee,	Mr. Laurens, Brownson.
NAYS.			
Mr. Duer, Wilson, Morris,	Mr. Chase, W. Smith,	Mr. Jones, Burke,	Mr. Harnett, Penn.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**TUESDAY, August 26, 1777.**

A letter, of the 25th, from general Washington, at Wilmington, enclosing a copy of a letter from H. Hollingsworth; a letter, of the 24th, from colonel Hollingsworth; one, of the 13th, from lieutenant-colonel Carrington, at Yorktown, Virginia; and an application from Mons. du Coudray, were read.

*Ordered*, That so much of Monsieur du Coudray's application as relates to money, be referred to the board of treasury, and the remainder to the board of war:

That the copy of the letter from colonel Hollingsworth be referred to the committee of intelligence.

The delegates of Georgia laid before Congress a letter from Ebenezer S. Platt, dated Newgate, in London, 16th of May, 1777, and directed to Seth Cuthbert, merchant in Georgia, representing that he had been apprehended and imprisoned on account of having acted under the authority of Congress, and requesting to be supplied with a sum of money, and that he may be demanded in exchange; Whereupon,

*Resolved*, That the American commissioners at the court of France be directed to supply the said Ebenezer S. Platt with a sum not exceeding one hundred pounds sterling; and that they demand his person in exchange for some person in our power:

*Resolved*, That the sum so to be advanced be charged to the state of Georgia.

A memorial from col. A. Spotswood, of the 2d Virginia regiment, with sundry papers therein referred to, was laid before Congress and read:

*Ordered*, That the same be referred to the board of war.

A motion was made to order the 1st and 3d battalions of New-Jersey troops, to be stationed in New-Jersey, until the further order of Congress, and to take such posts as will be most effectual for securing the parts of New-Jersey, lying to the northward of Amboy, from the frequent excursions of the enemy from Staten-Island; and that gen. Washington be informed of the said battalions being detained for the above purpose:

Question put, passed in the negative.

*Resolved*, That if any member chooses to have the ayes and noes taken upon any question, he shall move for the same previous to the president's taking the sense of the house on such question, and if the motion be seconded, the individual members of each state shall be called upon to answer ay or no to the question, which answer shall be entered on the journal, and the question be determined by the majority of states, as the majority of votes in each shall make appear.

*Resolved*, That it be recommended to his excellency the president and the honorable the executive council of the state of Pennsylvania, to lend the commander in chief two brass twelve pounders belonging to the said state.

*Resolved*, That the supreme executive council of Pennsylvania be request-

ed to order all the leaden spouts in Philadelphia to be taken down for the use of the laboratory.

A petition from Charles Craig and Thomas Dorsey, was read :

*Ordered*, To lie on the table.

Congress resumed the consideration of the memorial from col. Hazen, the report of the board of treasury, and the report of the commissioners of claims on the account of col. Hazen ; and, after debate,

*Ordered*, That the said reports be re-committed.

*Resolved*, That the commissioners of claims be instructed to distinguish between the sums due to col. M. Hazen for hard money advanced by him, and those due to him for commodities furnished by him for the use of the army in Canada.

*Resolved*, That the former sums be repaid to him in hard money, with interest, at six per cent. from the 1st May, 1776.

*Ordered*, That 10,000 dollars be advanced to the delegates of Maryland, for the use of that state, which is to be accountable.

Whereas, the states of Pennsylvania and Delaware are threatened with an immediate invasion from a powerful army, who have already landed at the head of Chesapeake-Bay ; and whereas, the principles of policy and self preservation require that all persons who may reasonably be suspected of aiding or abetting the cause of the enemy, may be prevented from pursuing measures injurious to the general weal :

*Resolved*, That the executive authorities of the states of Pennsylvania and Delaware, be requested to cause all persons within their respective states notoriously disaffected, forthwith to be apprehended, disarmed, and secured, till such time as the respective states think they may be released without injury to the common cause.

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania, to cause a diligent search to be made in the houses of all the inhabitants of the city of Philadelphia, who have not manifested their attachment to the American cause, for fire-arms, swords, and bayonets ; that the owners of the arms so found be paid for them at an appraised value, and that they be delivered to such of the militia of the state of Pennsylvania who are at present unarmed, and have been called into the field.

*Ordered*, That the board of war furnish the state of Maryland with as many fire-arms as can be spared for arming their militia now called into service.

The board of treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That there be advanced to lieutenant-col. baron de Holtzendorf 300 dollars, for which he is to be accountable.

*Ordered*, That there be advanced to col. G. Morgan 20,000 dollars, for the use of his department, and for which he is to be accountable :

That there be advanced to lieutenant-col. the chevalier de Failly 184 dollars, for three months' pay from the 1st of this month :

That there be advanced to major de Bois 150 dollars, for three months' pay, commencing the first of this month.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to James Mitchel, late a serjeant in colonel Stewart's regiment, three months' half-pay, being from the 1st day of May last, the time he settled with the pay-master, to the 1st inst. at which time he enlisted in colonel Nicola's corps, he being an invalid, 12 dollars :

To the commissioners of claims eight dollars, which they advanced to Samuel Hamel, James M'Callister, &c. for taking up a certain Robert M'Cann, a deserter from captain Robert Smith's company of colonel Feebucker's regiment, and delivered him to Robert Jewell, keeper of the state prison, viz : 5 dollars for taking him up, and 3 dollars for expenses :

To Nathaniel Jones, a balance for the hire of his wagon impressed to bring money from Baltimore, 11 days out and home, 42 dollars, of which he received from M. Hillegas, esq. 20 dollars; the balance is 22 dollars:

To sundry persons of Northumberland county, belonging to colonel Potter's battalion of militia, for rifles, guns and blankets, taken and appraised for the use of captain William Gray's company of the said battalion, some time in December last, which articles were not returned to the owners, but delivered up to the continental store, as appears by certificates, 1208 12-90ths dollars, and that the same ought to be paid to brigadier Potter, or his order.

*Ordered*, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, August 27, 1777.

A letter, of the 25th, from J. M'Kinley, president of the state of Delaware; one, of the 5th, and one, of the 10th, from brigadier-general de Roche Fermoy, were read:

*Ordered*, That they be referred to the board of war.

A petition from Peter Frances de Bois was read:

*Ordered*, That it be dismissed.

A letter from colonel Bailor to colonel Harrison, was laid before Congress and read:

*Ordered*, That it be referred to the board of war.

The board of war to whom the petition of Lewis John Baptiste Chamberon de Dantignac was referred, brought in a report, which was read: Whereupon,

*Ordered*, That the petition be dismissed.

A petition from Mons. de Ganot, was read.

Congress resumed the consideration of the report of the committee on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount-Independence, &c.

In considering the 2d paragraph, it was moved to add these words, "and his reasons for absence from Ticonderoga at the time of the enemy's approach to that post:" Question put, passed in the negative.

In debating the 7th paragraph sundry amendments were moved and agreed, viz.

After "number" insert "equipment."

After "militia" insert "and the term of service for which they were engaged:"

On motion to strike out "where the general officers marched in the retreat" and insert in lieu thereof "and the manner in which the retreat was conducted."

<i>N.-Hampshire</i> , Mr. Frost,	no	}	no	<i>Maryland</i> ,	Mr. Chase,	ay	}	ay
Folsom,	no				W. Smith,	ay		
<i>Massa'tts-Bay</i> , Mr. S. Adams,	no	}	no	<i>Virginia</i> ,	Mr. Harrison,	ay	}	ay
J. Adams,	no				R. H. Lee,	ay		
Gerry,	no				F. L. Lee,	ay		
Lovell,	no				Jones,	ay		
<i>Rhode-Island</i> , Mr. Marchant,	no	}	no	<i>N.-Carolina</i> ,	Mr. Penn,	ay	}	ay
<i>Connecticut</i> , Mr. Dyer,	no				Burke,	ay		
Law,	no	}	no		Hainett,	ay		
Williams,	no			<i>S.-Carolina</i>	Mr. Heyward,	ay	}	dis.
<i>New-Jersey</i> , Mr. Clark,	ay	}	ay		Laurens,	no		
Sergeant,	no			<i>Georgia</i> ,	Mr. Brownson,	ay	}	ay
Elmer,	ay							
<i>Pennsylvania</i> , Mr. Morris.	ay	}	ay					
Wilson,	ay							
Clymer,	ay							
Roberdeau,	no							

So it was resolved in the affirmative.

In debating the 8th paragraph, it was moved and agreed, after "number," to insert "and size:" After "cannon," to insert "and whether any were removed before the evacuation."

A motion was made to strike out the last paragraph, viz.

"That if, upon such enquiry, a well grounded suspicion shall arise, that the loss of those important posts was owing to neglect or misconduct of any officer or officers in said department, Congress may give the necessary direction for bringing such officer or officers to trial, according to the rules and articles of war:" and, instead thereof, insert,

"That, upon such enquiry and collection of facts, the whole be transmitted by the said committee to general Washington, with direction for him to proceed thereupon, either by court of enquiry or court-martial, as shall be most proper and conformable to the law-martial, for examining into the conduct of the general-officers who commanded in the northern department, at the time Ticonderoga was evacuated:"

It was moved to amend this, by striking out "either by court of enquiry or court-martial, as shall be most proper and conformable to the law-martial," and, instead thereof, to insert these words, "agreeable to the rules and articles of war:"

Another amendment was moved, to strike out what follows the word "facts," and insert "a copy of the whole be transmitted by the said committee to general Washington, and that thereupon he appoint a court martial for the trial of the general officers who were in the northern department when Ticonderoga and Mount-Independence were evacuated, agreeable to the rules and articles of war:"

Question put on the last amendment, resolved in the affirmative.

Question was then put on the motion as amended;

<i>N.-Hampshire</i> , Mr. Frost,	no	}	no	<i>Pennsylvania</i> , Mr. Wilson,	ay	}	ay
Folsom,	no			Clymer,	ay		
<i>Massa'tte-Bay</i> , Mr. S. Adams,	ay	}	ay	Roberdeau,	ay	}	ay
J. Adams,	ay			Mr. Chase,	ay		
Gerry,	ay			W. Smith,	no	}	dtr.
Lovell,	ay			Mr. Harrison,	ay		
<i>Rhode-Island</i> , Mr. Marchant,	no	}	no	R. H. Lee,	no	}	ay
<i>Connecticut</i> , Mr. Dyer,	ay			F. L. Lee,	ay		
Law,	ay	}	ay	Jones,	ay		
Williams,	ay			<i>N.-Carolina</i> , Mr. Burke,	ay	}	ay
<i>New-Jersey</i> , Mr. Clark,	ay	}	ay	Harnett,	ay		
Sergeant,	ay			<i>S.-Carolina</i> , Mr. Heyward,	ay	}	dtr.
				Laurens,	no		

So it was resolved in the affirmative.

The report as amended and agreed to, is as follows:

*Resolved*, That a committee of three members of Congress be appointed and authorized to correspond with public or private persons, by letter or otherwise, in this and the neighbouring states, in order to collect the clearest and fullest evidence of the state of the army in the northern-department, and also of the state of the troops, military stores and provisions, at the said posts, before and at the time when the evacuation was determined upon:

To call for and examine the minutes of the council of war, to enquire what orders were given, from time to time, by the commander in chief of that department:

To enquire particularly if the barracks and stores were destroyed or left standing:

To enquire of the quarter-master general and commissary-general what quantity of provision had been laid up at Ticonderoga, or near it, for the use of the garrison, and what measures were taken or taking for throwing in farther supplies:

To inform themselves, as fully as possible, of the number, appointment and movements of the enemy, from the time of their landing to the time of evacuating the fort, and also of the number, quality and condition of the garrison; and if any, and what measures were taken to gain intelligence of the strength of the enemy by the commander in chief, or the commanding officer at Ticonderoga:

To enquire of the clothier-general what clothing, from time to time, had been issued for the use of the northern department, and from other public officers, into the expenditure of such general issues:

To enquire into the number, equipment and behaviour of the militia, and the term of service for which they were engaged, at and before the time of the evacuation; into the situation and condition of the lines at Ticonderoga, and the fortifications upon Mount-Independence; what works had been thrown up by the enemy, what posts they had taken, and the distance of their works; what orders had been given by the commanding officer for directing and regulating a retreat, and the manner in which the retreat was conducted; what orders were given relative to the sick, what care taken of them; whether any continental troops, and what number were at Albany or in the neighbourhood, how long they had been there, and why they were not ordered to Ticonderoga:

To enquire into the number and size of cannon, and whether any were removed before the evacuation; the quantity and species of military stores; the state of the arms, both of the continental soldiers and militia, whether the troops were furnished with bayonets, and whether there were any and what number of pikes or spears proper for defending lines:

That, upon such enquiry and collection of facts, a copy of the whole be transmitted by the said committee to general Washington, and that, thereupon, he appoint a court-martial for the trial of the general officers who were in the northern department, when Ticonderoga and Mount-Independence were evacuated, agreeable to the rules and articles of war.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, August 28, 1777.

A letter, of the 21st, from general Washington, enclosing a copy of a letter of the 29th of May, from B. Franklin at Paris, respecting the count Pulaski; also a letter of the 25th from count Pulaski; one, of the 14th, from Joseph Trumbull, esq. at the Cross-Roads; and a petition from John Young, were read: also a letter from baron de Kalb, enclosing a letter directed to general Howe, and a letter of the 25th from M. Hillegas, treasurer at York-town, were read:

*Ordered*, That the letter from Mr. Trumbull and that from Mr. Hillegas be referred to the board of treasury; that the petition from J. Young, and so much of the baron de Kalb's letter as relates to his application for leave to return to France, by the way of New York, be referred to the board of war:

That the remainder of the baron de Kalb's letter and the letter from gen. Washington, with the one enclosed, and the letter from count Pulaski, be referred to the committee on foreign applications.

A letter, of the 24th, from brigadier A. Buchanan, at Baltimore, was read.

*Resolved*, That the committee appointed to take into consideration the state of South-Carolina and Georgia, be also empowered to consider and report upon the state of North-Carolina.

Congress proceeded to the election of the committee to collect evidence and facts relative to the evacuation of Ticonderoga and Mount-Independence; and, the ballots being taken,

Mr. Laurens, Mr. R. H. Lee, and Mr. J. Adams, were elected.



*Ordered*, That a copy of the resolutions respecting the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount-Independence, &c. be sent to each of the general officers who were in the northern department at the time of the evacuation, and that they be published in the news-papers.

*Ordered*, That 3000 dollars be advanced to the secretary of the board of war, for public service, he to be accountable.

A letter, of the 25th, from gen. Sullivan, at Hanover, with sundry papers enclosed, also, another from him, without date, were read :

*Ordered*, That the letter of the 25th, with the papers enclosed, be referred to a committee of three :

The members chosen, Mr. J. Adams, Mr. Duer, and Mr. R. H. Lee.

*Resolved*, That when a state is unrepresented in Congress, and the yeas and nays are called for, the opinion of the members of the state unrepresented shall be called for, and entered on the journal, the name of such members being distinguished by an asterisk.

*Resolved*, That Congress will, to-morrow morning, immediately after reading the public letters, resolve itself into a committee of the whole, to consider farther the report of the treasury, on the ways and means of raising supplies, and the letters of the commissioners at Paris, referred to them.

*Ordered*, That 3000 dollars be advanced to the president, for public service, he to be accountable.

A letter, of the 26th, from James Mease, esq. clothier-general, was read :

*Ordered*, That it be referred to the board of treasury.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Abraham Berlin, chairman of the committee of Northampton county, for his account of rations supplied col. Hand's battalion last winter, at Easton, as well as the militia who were on their way to camp, 834 22-90 dollars, and for his trouble and expenses in advancing great part of the money, and for paying the remainder, 40 dollars, the whole amounting to 864 22-90 dollars.

*Ordered*, That the said account be paid.

Congress resumed the consideration of the report of the committee appointed to enquire into the state of the army : Whereupon,

*Resolved*, That the clothier-general be directed forthwith to inform himself, as nearly as may be, of the number of blankets, shoes, hose, and shirts, that will be wanted for the troops of the United States in the fall and winter next ensuing, exclusive of those now in store, or for which he has contracted ; that he apply for the same to the several assemblies or executive authorities of the states of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, and Delaware, in proportion to the number of inhabitants of each state, and send to each an attested copy of this resolve ; and it is earnestly recommended to the several states aforesaid, to call on the inhabitants of their respective counties, cities, towns, or districts, to manufacture, or furnish their proportions of the said articles ; and the said states are desired to appoint suitable persons to inspect the quality of the articles thus supplied, and to order them to be delivered to the clothier's agent in each state, who is hereby directed to pay for the same at the delivery thereof :

That the clothier-general be directed forthwith to apply to the commander in chief, and commander of each continental district, and inform himself of the number of assistant-clothiers necessary for the army and detached parts within their several commands ; that he appoint, without delay, as many assistants as they may respectively judge necessary, and report their names to Congress ; that he take effectual care to send to each assistant, a

proportion of the clothing on hand, and full supplies as soon as may be, ordering the said assistants to give receipts for the same; that he be careful to direct the several assistants to give to each non-commissioned officer and soldier the clothing due to him by the articles of enlistment, and take receipts; and that they supply the army with such other clothing as shall be necessary at the average cost and charges thereof; that he furnish each assistant with the names of the non-commissioned officers and soldiers of the divisions or corps to which he may be assigned, who have received the bounty of clothing, or any part thereof, and also with the account of each officer and soldier in such division or corps, who is indebted to the United States for articles of clothing; that he direct each assistant, on the first day of every month, to render to the respective regimental pay-masters in the divisions or corps to which he is assigned, particular accounts of all the clothing for which the officers and men are respectively indebted; and the several regimental pay-masters are hereby directed to make the proper stoppages from the pay-rolls, for discharging the said accounts, and to deliver the money to the assistant clothiers respectively, taking their receipts, and delivering them to the pay-master or deputy pay-master general, to be filed in his office until required by the commissioners of accounts or other proper authority; that the several assistants deliver the money so received to the clothier-general, and account with him for all the clothing which they may receive as aforesaid.

*Resolved*, That the farther consideration of the report be postponed.

*Resolved*, That gen. Washington be directed, if the service will permit, to order a skilful engineer, and an experienced artilleryman, to repair immediately to the city of Annapolis, in the state of Maryland, there to obey the directions of the governor and council of that state.

*Ordered*, That Mons. P. F. de Bois repair immediately to the northern department.

Congress adjourned to five o'clock.

#### FIVE O'CLOCK, P. M.

In pursuance of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Abraham Terrill and Charles Tooker, for the damages they sustained, in a small schooner belonging to them, in her sails, rigging and hull, the said schooner being employed by general Mercer, in an intended attack on Staten-Island, July, 1776, in which she was sunk, and suffered the said damages, agreeable to appraisement and certificates, 134 60-90 dollars, to be paid to Abraham Clark, esq.

To Belcher P. Smith, for three months services to gen. Maxwell last winter in Jersey, in capacity of his clerk, and for other services, 150 dollars:

To Robert Jewell, his account of diet for prisoners from 22d July to 29th instant, inclusive, 371 52-90 dollars:

To Allen Cameron, a balance of his allowance as a prisoner, from 24th December, 1776, to 25th July last, 54 77-90 dollars:

To ensign Enoch Welsh, his expenses conducting British prisoners to their lines and on his return to this city, being six days, for himself and horse, 17 12-90 dollars:

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That the pay of the deputy pay-master general of the northern, eastern and southern departments, be augmented to 80 dollars per month:

That the assistants to the pay-master general and deputy pay-masters general, whom they are respectively authorized to appoint, where such officers

shall be necessary, shall receive, for the time of their actual service, 50 dollars a month :

That the pay-master general and deputy pay-masters general shall be obliged respectively to take bond of their respective assistants appointed by them, for the faithful performance of their trust, in such penalties as the commander in chief, or commanding officer of the department, shall direct.

*Resolved*, That there be advanced to col. Flowers, commissary-general of military stores, 50,000 dollars, for the use of his department, for which he is to be accountable.

The committee to whom the letter from general Sullivan, with the papers enclosed, was referred, report,

“ That the several testimonies which have been published since the commencement of the present contest betwixt Great Britain and America, and the uniform tenor of the conduct, and conversation of a number of persons of considerable wealth, who profess themselves to belong to the society of people commonly called Quakers, render it certain and notorious, that those persons are, with much rancor and bitterness, disaffected to the American cause : that, as these persons will have it in their power, so there is no doubt it will be their inclination, to communicate intelligence to the enemy, and, in various other ways, to injure the councils and arms of America :

That when the enemy, in the month of December, 1776, were bending their progress towards the city of Philadelphia, a certain seditious publication, addressed “ To our friends and brethren in religious profession in these and the adjacent provinces,” signed “ John Pemberton, in and on behalf of the meeting of sufferings held at Philadelphia for Pennsylvania and New-Jersey, the 26th of the 12th month, 1776,” was published, and, as your committee is credibly informed, circulated amongst many members of the society called Quakers, throughout the different states :

That, as the seditious paper aforesaid originated in the city of Philadelphia, and as the persons whose names are under mentioned, have uniformly manifested a disposition highly inimical to the cause of America, therefore,

*Resolved*, That it be earnestly recommended to the supreme executive council of the state of Pennsylvania, forthwith to apprehend and secure the persons of Joshua Fisher, Abel James, James Pemberton, Henry Drinker, Israel Pemberton, John Pemberton, John James, Samuel Pleasants, Thomas Wharton, sen. Thomas Fisher, son of Joshua, and Samuel Fisher, son of Joshua, together with all such papers in their possession as may be of a political nature.

And, whereas, there is strong reason to apprehend that these persons maintain a correspondence and connexion highly prejudicial to the public safety, not only in this state but in the several states of America,

*Resolved*, That it be recommended to the executive powers of the respective states, forthwith to apprehend and secure all persons, as well among the people called Quakers as others, who have, in their general conduct and conversation, evidenced a disposition inimical to the cause of America ; and that the persons so seized, be confined in such places, and treated in such manner, as shall be consistent with their respective characters and security of their persons :

That the records and papers of the meetings of sufferings in the respective states be forthwith secured and carefully examined, and that such parts of them as may be of a political nature, be forthwith transmitted to Congress.

The said report being read, and the several paragraphs considered and debated, and the question put severally thereon, the same was agreed to.

*Ordered*, That the board of war remove, under guard, to a place of security out of the state of Pennsylvania, the hon. John Penn, esq. and Benjamin Chew, esq. and that they give orders for having them safely secured, and entertained agreeable to their rank and station in life.

A letter, of the 28th, from gen. Washington, at Wilmington, was read :  
*Ordered*, That it be referred to the board of war.  
 The several matters to this day referred, being postponed,  
 Adjourned to ten o'clock to-morrow.

FRIDAY, *August 29, 1777.*

A letter, of the 27th, from gen. Washington, at Wilmington, was read.

A motion being made respecting the militia,

*Ordered*, That it be referred to the board of war.

*Resolved*, That governor Livingston be requested to lend Congress such number of arms as can be procured in the state of New-Jersey, or if arms can be purchased in that state, that he will appoint proper persons to collect and pay for them at continental expense.

Congress was resolved into a committee of the whole, to consider the report of the committee on ways and means, &c. and, after some time, the president resumed the chair, and Mr. Harrison reported that the committee have considered farther the report to them referred, but, not having come to a conclusion, desire leave to sit again.

*Resolved*, That to-morrow Congress will resolve itself into a committee of the whole, to consider farther the report of the committee on ways and means, &c.

*Resolved*, That each assistant-clothier be allowed 50 dollars a month, and the rations of a captain.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That there be advanced to lieutenant-colonel chevalier de Franval 540 dollars, for nine months' pay commencing 1st December last, ending 1st September next.

That there be advanced to James Mease, esq. clothier-general, 20,000 dollars, to be remitted by him to Georgia, for clothing the continental troops in that state ; which sum is part of the money directed to be sent to that state, for the use of the said troops.

The several matters to this day referred, being postponed,  
 Adjourned to ten o'clock to-morrow.

SATURDAY, *August 30, 1777.*

A letter, of the 29th, from general Washington, at Wilmington, was read.

A memorial from captain Wendal Owry was presented to Congress :

*Ordered*, That it be referred to the board of treasury.

According to the order of the day, Congress resolved itself into a committee of the whole, and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under their farther consideration the matter referred to them, and have made some progress therein, but, not having come to a conclusion, desire leave to sit again.

*Resolved*, That on Monday next Congress will resolve itself into a committee of the whole, to consider farther the report of the treasury, on the ways and means of raising supplies, &c.

The board of war report, " that there are in Philadelphia between 2 and 3000 arms which might, in a short time, be repaired, if workmen could be procured to perform the service, but, as great numbers of the artificers are in the militia, few of those arms will be speedily repaired, unless the workmen are permitted to leave the field, and work on the arms ;" Whereupon,

*Resolved*, That general Washington be directed to detach from the militia, as soon as possible, such a number of workmen as he shall think necessary to repair, with despatch, the arms now in the city of Philadelphia, as there is no other mode of supplying the demands of the militia of Pennsylvania,

Delaware and Maryland states, great numbers of whom are now in the field without arms.

*Ordered*, That the petition of John Young, "for leave to depart from the continent," be rejected.

A motion was made to advance a sum of money, to the delegates of Georgia:

*Ordered*, That it be referred to the board of treasury.

The medical committee brought in a report which was taken into consideration; Whereupon,

*Resolved*, That the several issuing commissaries be directed to furnish the director-general, or any of the deputy directors, or their assistants, with such provisions as any of them shall, from time to time, demand by order in writing, for the use of any temporary hospital which shall be established, which order, with the receipt of the steward endorsed thereon, shall be a sufficient voucher for such issuing commissary, who is also required to keep such vouchers separate, and make a separate entry of the same in his books, charging the director who ordered the same therewith.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, September 1, 1777.

A letter, of the 30th of August, from general Washington, at Wilmington; one of the 25th of the same month, from general Gates, enclosing a letter of the 23d from general Arnold, at Mohawk river, ten miles above Fort-Dayton; and one, of the 22d, from colonel Gansevoort, at Fort-Schuyler; another letter, of the 28th of August, from general Gates, enclosing one of the 24th from general Arnold, giving an account that the enemy have retreated from Fort-Schuyler with the greatest precipitation, leaving their tents standing, their provisions, ammunition, &c. were read.

Another letter, of the 28th of August, from general Gates, with a paper enclosed, respecting the clothing granted to soldiers; one, of this date, from general Arthur St. Clair; one, of the 27th of August, from Jonathan Hudson, at Baltimore; one, of the 28th, from R. White, deputy-commissary general of issues, respecting the rations claimed by the soldiers; and one, of the 31st, from general Sullivan, giving an account of his expedition on Staten-Island, were read:

*Ordered*, That the letters from the northern department, and that from general Sullivan, be referred to the committee of intelligence:

That the letter of the 28th of August from gen. Gates, with the papers enclosed, respecting clothing, be referred to the board of treasury.

*Ordered*, That a copy of brigadier de Roche Fermoy's letter of the 25th of July, be delivered to general St. Clair.

That the letter from Jonathan Hudson be referred to the board of treasury, and that from R. White to the board of war.

*Resolved*, That general Washington be directed to appoint a court of enquiry on the late expedition by general Sullivan against the British forces on Staten-Island.

*Ordered*, That 10,000 dollars be advanced to the marine committee for public service at Baltimore, the said committee to be accountable.

*Resolved*, That a committee of three be appointed to devise a plan of supplying the army with necessaries on the most reasonable terms, and that they sit on this business, and report as soon as possible:

The members chosen, Mr. Morris, Mr. Chase, and Mr. Duer.

*Resolved*, That three commissioners be appointed immediately to consider of the practicability of burning the enemy's fleet in Chesapeake-Bay, that they consult with general Washington on this subject, and, if it appears likely to be effected, that they proceed with all diligence to the execution.



tion thereof; that they be authorized to purchase, on the most reasonable terms they can, or employ any vessels that may be convenient for the purpose of fire ships, and that they have power to make use of any of the continental merchant-ships or vessels that may be near the place for the same service; and that they have authority to pursue all such measures as may be effectual to the right execution of this important business; and, in case it shall be judged proper to undertake the project, that the same rewards be given to those employed in the execution, as are offered for the same purpose in Delaware river and at Rhode-Island.

*Ordered*, That the appointment of commissioners be postponed till to-morrow.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That the president issue a warrant to the treasurer to transmit to John Gibson, esq. auditor-general, 884,000 dollars, for which the said auditor-general is to be accountable:

That there be advanced to Matthew Irwin, agent to Joseph Trumbull, esq. late commissary-general, 50,000 dollars, which Mr. Trumbull represents to be necessary to discharge contracts he is engaged in for provisions, and for which he is to be accountable.

Whereas two bills have been presented to the delegates of Georgia, drawn on them by the governor of the state of Georgia, and both dated the 12th day of July last; by one of which the said delegates are requested to pay to Thomas Scott, esq. or order, the sum of 14,000 dollars, for the purpose of recruiting men for the third battalion of the continental troops in that state; and by the other to pay capt. Clement Nash, or order, 5000 dollars for the same purpose; and the said delegates having applied to Congress to advance the said money on account of the said state, to enable them to discharge the said bills:

*Ordered*, That the amount of the said two bills, being 19,000 dollars, be accordingly advanced to the delegates of Georgia, for which that state is to be accountable, and that the same be considered, and charged as part of the money agreed to be transmitted to Georgia, for the use of the continental troops in that state.

*Ordered*, That there be advanced to capt. D'Antignac 120 dollars, for three months' pay, for which he is to be accountable.

According to the order of the day, Congress resolved itself into a committee of the whole, and after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have had under their further consideration the matters referred to them, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That to-morrow Congress will resolve itself into a committee of the whole, to consider farther the report of the treasury, on the ways and means of raising supplies.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## TUESDAY, September 2, 1777.

Two letters, of the 1st, from general Washington, at Wilmington, one of them enclosing a declaration of gen. Howe of the 27th of August, also intelligence from capt. Hopkins, and a deposition of Francis Alexander, relative to brutal behaviour of some of the enemy; also a letter of the 26th August, from Pierre Van Cortlandt, president of the council of safety of New-York, with sundry papers enclosed; one, of the 27th of the same month, from gen. Putnam, with the proceedings of courts-martial, on Amos Rose, and Lemuel Ackerly; and a letter from J. Hudson, at Baltimore, were read:

*Ordered*, That the letter from J. Hudson be referred to the board of treasury.

*Resolved*, That the president write to gen. Putnam, and inform him, that in consequence of his recommendation, Congress agree to his pardoning Amos Rose and Lemuel Ackerly, who are sentenced to death by the judgment of a court-martial.

*Resolved*, That the allowance of a major-general in a separate department be extended and allowed to major-general Putnam from the time he took the command of the forces at Peek-Kill, to be continued to him so long as he remains in that command.

*Ordered*, That the letters from general Washington, with the papers enclosed, be referred to the committee of intelligence.

A memorial from James Viellon and John Tennet, was read :

*Ordered*, That it be referred to the committee of commerce.

A petition from capt. John Brisben, was read, praying for leave, on account of his domestic affairs, to resign his commission :

*Ordered*, That he have leave to resign.

A petition from Pierre Burns, William Douglass, and others, was read:

*Ordered*, That it be referred to the board of treasury :

A petition from Belcher P. Smith, was read, praying for an augmentation of his salary as clerk in the secretary's office :

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury reported, that there should be advanced to Mons. du Coudray, for himself, and the following gentlemen, who came with him to America, Mons. du Coudray to be accountable, viz. for Mons. du Coudray, 1000 dollars ; for captain le Brun, Augustin le Brun, Varenne, Tousard, de Goy, Picard, Loyaute, and Parrison, each 250 dollars ; Mons. Noel, surgeon-major, 300 dollars ; lieutenants Parrissy, Coyeti, Matigny, Bouchard, le Blanc, Nivan, Fonfrede, Pomereul, Mattris, Begard, each 200 dollars ; ten serjeants, each 50 dollars ; making in the whole, 5800 dollars :

*Ordered*, That the said sums be paid.

A motion being made for employing the gentlemen who came with Mons. du Coudray :

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report : Whereupon,

*Ordered*, That there be paid to James Millegan, or his order, 1236 dollars, in discharge of a bill drawn by Jon. Trumbull, jun. deputy pay-master general in the northern department, 5th August last, in favor of John Carter, or order, for that sum, it being for so much received of him by the said deputy pay-master general, for the public service of the United States, for which the said deputy pay-master general is to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports, that there is due,

To Thomas M'Intire, an ensign in capt. Lencox's company of the 3d Pennsylvania battalion, a balance of pay and rations due to him from the 1st of September, 1776, to the 7th of August, 1777, when he arrived from Long-Island, 198 dollars, of which he received from James Hunter, pay-master to the 4th Pennsylvania battalion, 72 dollars, the balance is 126 dollars, and for rations due to him from the 1st of October, to the 16th of November, 1776, being 46 days, at 8d per ration, is 8 16-90 dollars, both sums making 134 16-90 dollars :

To Allan M'Donald, Alexander, Allan, jun. Renald and Archibald M'Donald prisoners at Reading, and their three servants, 12 weeks' allowance from the 4th of June to the 27th of August, at 28s each for themselves, and 7s 6 for their servants, 260 dollars :

To Willing, Morris & Co. for 10,000 quills for the use of the treasury, war and secretary's office, 266 60-90 dollars :

To Robert Anderson, a private, for his half pay from the 22d of May, the time he was discharged by general Maxwell's certificate, to the 22d of July, the time he inlisted in colonel Nicola's corps of invalids, 6 60-90 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That report be made from the committee of the whole of the resolution they have come to on the report referred to them:

The resolution being read,

*Ordered*, That it be re-committed.

*Resolved*, That general Washington be empowered to dispose of colonel Richardson's battalion in such way as he shall think proper, and that he send orders to colonel Richardson accordingly.

Congress was then resolved into a committee of the whole, and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have considered farther the matters referred to them, and have made some progress therein, but, not having come to a conclusion, desire leave to sit again.

*Resolved*, That to-morrow Congress be resolved into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies.

In consequence of a report from the committee of intelligence,

*Ordered*, That general Sullivan's letter be published.

A motion was made to apply to the supreme executive council of Pennsylvania for a quantity of copper:

*Ordered*, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *September 3*, 1777.

A letter, of the 2d, from G. Bryan, esq. vice-president of the supreme executive council of Pennsylvania, was read, informing that, "in consequence of the recommendation of Congress, and their own persuasion of the propriety and necessity of the measure, the council have taken up several persons inimically disposed towards the American states; that few of the Quakers, among these, are willing to make any promise of any kind; and desiring the advice of Congress, particularly whether Augusta and Winchester, in Virginia, would not be suitable places in which to secure these persons;" Whereupon,

*Resolved*, That Congress approve of the Quaker prisoners being sent to Virginia, and, in the opinion of Congress, that Staunton, in the county of Augusta, is the most proper place in the state of Virginia for their residence and security; and with regard to the other prisoners mentioned in their letter, Congress leave it to the supreme executive council to do with them as they in their wisdom shall think best.

The supreme executive council having sent to Congress, by one of the delegates of their state, sundry original letters and papers found in the possession of some of the Quakers taken into custody, the same were read:

*Ordered*, That they be referred to the committee to whom general Sullivan's letter of the 25th of August was referred.

*Resolved*, That it be earnestly recommended to the several states, to take effectual measures for importing or otherwise procuring, during the ensuing winter, such supply of arms, tents and other military stores, blankets, clothing, medicines, and other necessary articles for their respective militia, as may be wanted for the next campaign, and that they report to Congress the species and quality of military stores manufactured in their respective states:

That the board of war be directed forthwith to lay before Congress a list of the military stores now in the magazines, and an estimate of such articles of foreign manufactures or produce as may be wanted for the next campaign.

*Ordered*, That the board of war take into consideration the merits of brigadiers Stark and Harkemer, and of colonel Gansevoort and lieutenant-colonel Willet, and report to Congress what testimonies of public gratitude should be shewn to those officers for their late signal exertions in the defence of their country.

Congress was resolved into a committee of the whole, and, after some time, the president resumed the chair, and Mr. Harrison reported, that the committee have considered farther the matters referred to them, and have come to a resolution, which he was ordered to deliver when Congress would receive it :

*Ordered*, That it be now received.

The resolution being received, was read and ordered to lie for farther consideration.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, September 4, 1777.

A letter, of the 3d, from gen. Washington, at Wilmington, giving an account of a skirmish at Ironhill, and one, of the 31st of August, from J. Hadson, were read :

*Ordered*, That the general's letter be referred to the committee of intelligence.

A memorial from capt. Jacob Bower, and one from Charles Seitzan, assistant in major Ottendorf's corps, were read, desiring leave to resign their commissions :

*Ordered*, That the said officers apply to gen. Washington.

A memorial from E. Blaine was presented to Congress :

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the pay of Belcher P. Smith, clerk in the secretary's office, be augmented to 55 dollars a month.

*Ordered*, That there be advanced to colonel Lewis Nicola, of the invalid regiment, 658 4-90 dollars, for the pay of that corps for two months, from the 20th of June to the 19th of August, for which he is to be accountable.

*Resolved*, That a committee of three be appointed to consider under what regulations and restrictions regimental officers shall, for the future, receive their rations :

The members chosen, Mr. R. H. Lee, Mr. Gerry, and Mr. Folsom.

The board of war report, that they have taken into consideration the dispute with regard to the relative rank of the colonels Cortlandt, Gansevoort, Dubois, and Livingston, commanding four of the New-York regiments, and find that a committee of the convention of that state, being properly authorized for that purpose, did appoint the officers above mentioned to their respective regiments, in the following order, viz. colonel Cortlandt 2d, col. Gansevoort 3d, col. Dubois 4th, and col. Livingston 5th. As this arrangement must be presumed to have been founded on principles of justice and public utility, the board are of opinion that it would be highly inexpedient to make any alteration in the relative rank of these officers :

*Resolved*, That Congress agree with the board in their report.

A memorial from George Emerson was read :

*Ordered*, That it be referred to the board of treasury.

A letter from count Pulaski was read.

Congress took into consideration the report from the board of war, of the 30th of August.

The question put, to appoint a commander of the horse, passed in the negative.

In consequence of an adjustment by the commissioners, the auditor-general reports, that there is due,

To Isaac Snowden, for Alexander Brown's account of 124 meals supplied the militia, and for Robert Patterson's account of boarding two sick soldiers of col. Weeden's battalion, 52 76-90 dollars :

*Ordered*, That the said accounts be paid.

*Ordered*, That the board of war make such dispositions as they shall judge prudent and necessary for removing, at the shortest notice, to a place of security, all the military stores belonging to the continent, in case the exigency of affairs should render it necessary.

*Resolved*, That it be recommended to the executive council of Pennsylvania, to give orders that all the militia of their state hold themselves in readiness to march at a moment's warning, and that their arms be put in as good condition as possible ; that it be farther recommended to the said executive council, to call out 5,000 militia from the city and county of Philadelphia, and the counties most adjacent :

That it be earnestly recommended to the militia to appear with what arms they have or can procure, and otherwise equipped in the best manner they may be able, and that they rendezvous on the heights of Derby, or at such other place as the commander in chief shall direct.

*Resolved*, That it be recommended to the governor of New-Jersey forthwith to order out 3000 militia of that state for the purpose of reinforcing the army under gen. Washington, the said militia to rendezvous at Bristol, with as much despatch as possible.

On motion, by the delegates of North-Carolina, that the president order payment of the bills drawn by the treasurer of North-Carolina, agreeably to the resolve of the 14th of March last, without applying to Congress.

*Ordered*, That the said bills be referred to the board of treasury.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *September 5, 1777.*

A letter, of the 4th, from gov. Livingston, at Haddonfield, and a letter from col. Mason to col. Harrison, were read :

*Ordered*, That the letter from col. Mason be referred to the board of war.

*Ordered*, That the petition and account of colonel Dugan, on which the board of treasury reported on the 11th of February, be re-committed to the said board.

The committee on foreign applications brought in a report, which was read, and, after sundry amendments made, and part agreed to,

*Resolved*, That it be re-committed.

A letter, of this day, from Thomas Wharton, president of Pennsylvania, was read, informing that the persons detained in the Mason's Lodge, have had notice of their going to-morrow to Augusta, and desiring an answer, whether the removal of those persons may not be relaxed as to such as would yet swear or affirm allegiance to this state? also enclosing a remonstrance to the council of Pennsylvania, from twenty persons in the Lodge ; Whereupon,

*Resolved*, That the supreme executive council be informed, that Congress have no objection to the enlargement of such persons now confined in the Lodge as will swear or affirm allegiance to this state.

A remonstrance from Israel Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fisher, Samuel Pleasants, and Samuel R. Fisher, was read :



*Ordered*, To lie on the table.

The committee to whom the papers sent to Congress by the supreme executive council of Pennsylvania were referred, brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, September 6, 1777.

A letter, of the 5th, from general Washington, at Wilmington, and one of the same date from Thomas Wharton, jun. president of Pennsylvania, were read.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be paid to David Nesbit, or order, 250 dollars, in discharge of a bill drawn in his favor by John Ashe, esq. public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for the use of the United States; the farther sum of 500 dollars in discharge of another bill drawn in his favor by the said public treasurer of North-Carolina on the continental treasurer, both the said bills bearing date the 10th of May last; and the further sum of 125 dollars in discharge of another bill, without date, drawn in favor of the said David Nesbit by the said public treasurer of North-Carolina on the continental treasurer; the two last bills being expressed to be for the use of the state of North-Carolina; the whole of the said sums amounting to 875 dollars, for which the said state is to be accountable; these sums being in part of the 500,000 dollars ordered to be advanced to that state.

*Ordered*, That there be paid to James Millegan, esq. or his order, 28 18-90ths dollars being so much disbursed by him at the request of the committee of Congress on Indian affairs, towards making up a present for the Caghnawaga Indians, and an Oneida who paid a visit to Congress last month.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Pennsylvania, in favor of the marine committee, for 7000 dollars, in consequence of their having drawn on the said commissioner two warrants, dated the 12th December last, for the said sum, one in favor of John Hancock, Samuel Adams and Elbridge Gerry for 1000 dollars, and the other in favor of the said Elbridge Gerry for 6000 dollars, which sums were borrowed by the marine committee Brown, of Massachusetts-Bay, for the use of the committee to be accountable.

*Ordered*, That there be advanced to it for the use of that department, and for wh

The committee on the treasury farther consideration the letter of 28th August from general Washington for the army under his command; the general's report, that he has ordered cons forwarded to the army in the northern d he has little doubt of being able to furni specific articles of clothing directed to be and as it will be equally disadvantageous should they receive money instead of an of the stoppages made by the deputy pay- department, out of the pay of the troops in th ing, and direct the money to be returned, shall have been furnished with more clothi eat care ought to be taken to do justice to in this essential article: it is not sufficien

the clothier-general charges the regiment with the articles delivered and takes the receipt of the colonel or commanding officer, and that the colonel, or commanding officer, on delivering the clothing to the captains or commanding officers of each respective company, takes his receipt; every commanding officer of a company ought, moreover, strictly to be required to keep a clothing account with his company, distinguishing the several articles delivered to each non-commissioned officer and private, and taking receipts for the same as his vouchers; and when each non-commissioned officer and private respectively shall have received his bounty of clothing, the commanding officer of the company to which he belongs shall deliver the account and receipts to the commanding officer of the regiment, to enable him to settle the clothing account with the clothier-general, as well as to discover whether equal justice has been done to the company:

That such troops as have not been supplied with clothing, ought to be furnished with their full bounty without delay, which the board have earnestly recommended to the attention of the clothier-general, and he, on his part, has engaged to exert every means in his power to accomplish:

That such of the troops as, at their own expense, shall have provided themselves with any of the articles of clothing allowed as a bounty, or shall not draw their clothing in the course of the year, shall be entitled to receive the full value thereof at the average price which the clothing of the army shall cost the public.

And, whereas, when the bounty of clothing was provided by Congress, it was conceived, that it might be impracticable to obtain a sufficient quantity of cloth for regimental coats for the troops, and, for that reason, two hunting shirts were substituted; but, in the event, so considerable a supply has been procured, that the clothier-general has been enabled to furnish most of the troops with regimental coats instead of hunting shirts, and experience has shewn that a further alteration of the articles of clothing, allowed as a bounty, may be made to the advantage of the soldiers, and without loss to the public; and, therefore, it is the opinion of the committee, that it be

*Resolved*, That the clothier-general be directed, as far as he shall have it in his power, to furnish all the non-commissioned officers and privates in the service of the United States, who have not yet received their bounty of clothing, at their election, either with the several articles allowed by Congress, in the resolution of 8th October, 1776, or in lieu thereof, the following articles, viz.

One regimental coat, at 8 60-90ths dollars; one jacket, without sleeves, 2 60-90ths dollars; one pair buckskin and two pair linen or woollen breeches, 8 dollars; one hat or leather cap, 2 60-90ths dollars; two shirts, 8 dollars; one hunting shirt, 4 dollars; two pair overalls, 6 dollars; two pair of stockings, 4 dollars; two pair of shoes, 6 dollars; one blanket, 6 dollars; making in all 56 dollars:

But, as the cost of the articles, last specified, exceeds that of the clothing allowed as a bounty to the troops by 8 30-90ths dollars, so much shall be stopped out of the pay of every non-commissioned officer and private, who shall be supplied in the manner last directed, as will make the amount of clothing he shall receive equal to the value of the bounty of clothing, which, upon an average of the price of the several articles, is estimated at 47 60-90ths dollars:

The said report and resolves being read twice, on the question put,

*Resolved*, That Congress agree to the same.

*Resolved*, That there be allowed to Michael Hillegas, esq. treasurer of the United States, from the 6th day of August, 1776, when Mr. Clymer resigned the office of joint treasurer, a salary after the rate of 3200 dollars per annum, for discharging the duties of that office.

Congress took into consideration the report of the committee to whom were referred the papers transmitted by the supreme executive council of Pennsylvania; Whereupon,

*Ordered*, That the papers, as reported by the committee from No. 1 to No. 11, inclusive, be published.

Congress took into consideration the remonstrance from Israel Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fisher, Samuel Pleasants, and Samuel R. Fisher, who were taken into custody upon the recommendation of Congress, praying to be heard; Whereupon,

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania, to hear what the said remonstrants can allege, to remove the suspicions of their being disaffected or dangerous to the United States, and act therein as the said council judge most conducive to the public safety.

The committee on foreign applications, to whom their report, with the amendments, was re-committed, brought in another report, which was read:

*Ordered*, To lie on the table.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

#### MONDAY, September 8, 1777.

A letter, of the 7th, from R. H. Harrison, secretary to gen. Washington, at Newport; one, of the 7th, from governor Livingston, of New-Jersey; one, of the 30th August, from gov. Henry, of Virginia; one, of the same date, from col. Morgan, at Fort-Pitt; one, of the 1st September, from gov. Trumbull, at Lebanon; one, of the 13th August, from the council of Massachusetts-Bay, with sundry papers therein referred to; one, of the 7th, from Mons. du Coudray; one, of the 6th, from the council of Pennsylvania, with a list of the persons arrested in pursuance of a resolution of Congress of the 28th August, were read.

*Resolved*, That general Putnam be directed to order immediately a detachment of 1500 continental troops, under the command of a brigadier, to hold themselves in readiness to cross the North-river, when ordered by gen. Washington.

*Ordered*, That a copy of the foregoing resolution, and of gov. Livingston's letter, be forthwith transmitted to gen. Washington.

*Ordered*, That gov. Trumbull's letter be referred to a committee of five:

The members chosen, Mr. J. Adams, Mr. R. H. Lee, Mr. Duer, Mr. Gerry, and Mr. Wilson.

*Ordered*, That Mons. du Coudray's letter be referred to gen. Washington, and that he be desired to give such directions thereon as he shall think most conducive to the public good.

*Ordered*, That the letters from the council of Massachusetts-Bay, with the papers accompanying the same, and also the letter from col. Morgan, be referred to the board of war.

A letter from gen. Mifflin was read and referred to the board of treasury.

A letter, of this day, from T. Wharton, president of Pennsylvania, was read.

*Ordered*, That it be referred to the board of war.

Congress took into consideration the report of the committee on foreign applications, wherein they set forth,

That, besides a number of officers who are come from Europe and the West-Indies of their own accord, to solicit for rank and employment in the American army, there are others who have proceeded upon the encouragement of conventions made and signed at Paris, by Silas Deane, esq. as agent for the United States of North-America; that Mr. Deane had no authority to

make such conventions, and that Congress, therefore, are not bound to ratify or fulfil them :

Your committee further report, that the baron de Kalb and the viscount de Mauroy, with a number of officers who came with them from France, have offered their service, provided their engagements with Mr. Deane, in respect to rank, are fulfilled ; but that the American army having been arranged before the arrival of these gentlemen in America, their expectations cannot be complied with without deranging it, and thereby injuring, at so critical a juncture, the American cause ; that the zeal, however, of these gentlemen, and their consequent expenses, merit the attention of Congress ; wherefore, your committee report the following resolve :

*Resolved*, That the thanks of Congress be given to the baron de Kalb and the viscount de Mauroy, with the officers who accompany them, for their zeal in passing over to America to offer their service to these United States, and that their expenses to this continent, and on their return to France, be paid.

*Resolved*, That Congress agree to the said report and resolve.

*Ordered*, That the baron de Kalb and the viscount de Mauroy be furnished with a copy of the foregoing report and resolution, attested by the secretary ; also, that any of the officers accompanying them, who may desire it, be furnished with such a copy.

Whereas William Imlay, a prisoner of the United States upon suspicion of disaffection, has offered to take an oath of allegiance to the state of New-York, of which he is a citizen ; therefore,

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania, to discharge the said William Imlay on his parole of honor, that he will forthwith repair to Kingston, in the state of New-York, and take the oath of allegiance to the said state.

Congress took into consideration the letter of the 6th from the council of Pennsylvania, wherein they inform, " that at the time the resolves of Congress of the 6th came to them, the council were disposing of every thing for the departure of the gentlemen confined in the Mason's Lodge ; that the hearing of some may be censured as a partial proceeding, and therefore they wish the same indulgence may be granted to all : That as this may be tedious, and, in the midst of the present load of important business before council, of which that of embodying the militia is not the least part, they have not leisure to undertake it ; that, as much injury will ensue to their commonwealth if council, at present, yield any further attention to this matter, they therefore earnestly request that Congress may hear and dispose of the gentlemen prisoners in the Mason's Lodge, and also of those who are on promise or parole, in such manner as to their wisdom shall seem best, and that, for this purpose, a list of the prisoners is herewith sent ;" Whereupon,

*Resolved*, That it would be improper for Congress to enter into any hearing of the remonstrants or the other prisoners in the Lodge, they being inhabitants of Pennsylvania ; and, therefore, as the council decline giving them a hearing for the reasons assigned in their letter to Congress, that it be recommended to the said council to order the immediate departure of such of the said prisoners as yet refuse to swear or affirm allegiance to the state of Pennsylvania, to Staunton, in Virginia.

An appeal from the judgment of a court of admiralty for the state of Pennsylvania, on the libel " Andrew Caldwell against Wingate Newman," was lodged with the secretary, and referred to the committee for hearing and determining appeals.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

TUESDAY, September 9, 1777.

A letter, of the 26th of August, from colonel G. Morgan, with two letters

to him from brigadier Hand, ordering him to lay in provisions for 2000 men for 6 months, with an estimate of the expense, was read :

*Ordered*, That the same be referred to the board of treasury.

The delegate from Rhode-Island and Providence Plantations laid before Congress a resolution passed by the general assembly of that state, which was read, and is as follows :

“ IN THE LOWER HOUSE, *August 22, 1777.*

*Resolved*, That the delegates appointed, or who may be appointed to represent this state in Congress, be, and they, or either of them, are hereby empowered to represent said state in Congress, until they, or either of them, shall have due notice of their re-election, or until the delegates who may be appointed in their room, shall take their seats in Congress; the act directing the election of the said delegates for one year to the contrary notwithstanding.

Voted and past; per order,

J. LYNDON, *Clerk.*

In the Upper House, read the same day and concurred.

By order,

R. J. HOLME, *deputy Secretary.*”

A letter, of the 7th, from general Putnam; and one, of the 2d, from Peter Colt, both directed to W. Buchanan, commissary-general of purchases, were read :

*Ordered*, That they be referred to a committee of three :

The members chosen, Mr. Duane, Mr. Clark and Mr. Gerry.

Congress took into consideration the resolution reported from the committee of the whole; Whereupon, it was moved, that it be divided, and the sense of Congress taken on it, reduced to distinct propositions: it was then moved,

That the interest which shall arise, after the date of this resolution on loan-office certificates which shall be issued in pursuance of former resolutions of Congress, be annually paid at the respective loan-offices in bills of exchange, on the commissioners of the United States in Paris ;

<i>New-Hampshire</i> , Mr. Frost,	ay	} ay
Folsom,	ay	
<i>Massa'stte-Bay</i> , Mr. S. Adams,	ay	} ay
J. Adams,	no	
Gerry,	ay	
Lovell,	ay	
<i>Rhode-Island</i> , Mr. Marchant,	ay	} ay
<i>Connecticut</i> , Mr. Dyer,	ay	
Law,	ay	} ay
Williams,	ay	
<i>New-York</i> , Mr. Duane,	no	} *
<i>New-Jersey</i> , Mr. Clark,	ay	
Witherspoon,	ay	} ay

<i>Pennsylvania</i> , Mr. Wilson,	ay	} ay
Morris,	ay	
Roberdeau,	ay	
Clymer,	ay	
<i>Delaware</i> , Mr. Reed,	ay	} ay
<i>Maryland</i> , Mr. Chase,	ay	
<i>Virginia</i> , Mr. Harrison,	no	} ay
R. H. Lee,	ay	
Jones,	ay	
<i>N.-Carolina</i> , Mr. Harnett,	ay	} ay
<i>S.-Carolina</i> , Mr. Middleton,	no	
Heyward,	ay	} no
Laurens,	no	

So it was resolved in the affirmative.

It was then moved, that such interest be paid in bills of exchange, at the rate of six per centum per annum; Whereupon, an amendment was moved to stike out “ six ” and insert “ five ; ”

<i>New-Hampshire</i> , Mr. Folsom,	no	} no
Frost,	no	
<i>Massa'stte-Bay</i> , Mr. S. Adams,	no	} no
J. Adams,	no	
Gerry,	no	
Lovell,	no	
<i>Rhode-Island</i> , Mr. Marchant,	no	} no
<i>Connecticut</i> , Mr. Dyer,	ay	
Law,	no	} no
Williams,	no	
<i>New-Jersey</i> , Mr. Witherspoon,	no	} div.
Clark,	ay	

<i>Pennsylvania</i> , Mr. Morris,	ay	} no
Clymer,	no	
Roberdeau,	no	
Wilson,	no	
<i>Delaware</i> , Mr. Reed,	ay	} ay
<i>Maryland</i> , Mr. Chase,	ay	
<i>Virginia</i> , Mr. Harrison,	ay	} ay
R. H. Lee,	no	
Jones,	ay	
<i>N.-Carolina</i> , Mr. Harnett,	no	} no
<i>S.-Carolina</i> , Mr. Heyward,	no	
Laurens,	no	} no

So it passed in the negative.



Congress being informed that colonel Forman was at the door, and had a message from general Washington :

*Ordered*, That he be introduced.

Colonel Forman being introduced, delivered the message and withdrew.

Congress having received information from general Washington, that a great part of the enemy's fleet have sailed with intention, as it is apprehended, to come round into the Delaware river ; and, whereas, gen. Washington hath requested that a proper look-out be kept up, and intelligence sent him, with as much despatch as possible, of the movements of the said fleet.

*Ordered*, That the executive council of the state of Pennsylvania be informed thereof, and that it be recommended to them to attend to this matter.

*Ordered*, That gen. Washington appoint a proper person at head-quarters to write to the president twice a day, or oftener if necessary, and give information of the position and movements of the armies ; and that the board of war appoint proper expresses for conveying the said letters with the utmost expedition.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *September 10, 1777.*

A letter, of the 8th, from gen. Washington, eight miles from Wilmington ; one, of the 9th, from Dr. Shippen, director-general of the hospital ; also, a return of sundries received from Christiana-Bridge, seized by col. E. Blaine, deputy commissary-general of purchases, for the use of the continental army, were read :

*Ordered*, That the letter from Dr. Shippen, and the return, be referred to the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That there be advanced to Anthony Butler, agent to major-gen. Mifflin, quarter-master general, agreeable to his application by letter to Congress, dated 6th instant, 150,000 dollars for the use of his department, and for which he is to be accountable :

That there be advanced to William Buchanan, commissary-general of purchases, 100,000 dollars for the use of his department, and for which he is to be accountable :

To John Mackenzie, a prisoner, 20 dollars, to defray his travelling expenses to Fredericktown, in Maryland, to which place he is ordered to repair by the board of war.

To lieut. de la Colombe, for his pay as lieutenant from 1st December, 1776, to 1st September, 1777, nine months, 243 dollars, for which he is to be accountable :

To col. Dugan, by the hands of his wife, 300 dollars on account of his arrears of pay, and for which he is to be accountable :

To the secret committee 2500 dollars, for which they are to account, and that the same be paid by warrant on the loan-office in the state of Rhode-Island.

*Ordered*, That the quarter-master general lay his accounts, as soon as may be, before the board of treasury, in order for adjustment, and immediately lay before Congress, a list of all deputies and assistants employed in the quarter-master's department, and how and where employed.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Dr. John Morgan, late director-general of the American hospitals, the balance of his account-current as adjusted by the commissioners of accounts at Hartford, 12th July last, the sum of 613 40-90 dollars, and the farther sum of 200 dollars which he advanced to Dr. Warren,

surgeon of the general hospital, to defray expenses, &c. which sum was stolen from the said Warren, as per certificates taken on oath before the commissioners at Stamford, and which the board of treasury agrees should be allowed to Dr. Morgan;

Also the pay of director-general from 31st December, 1776, to 12th July, 1777, being 194 days, at 6 dollars a day, which time he employed in taking accounts, and delivering up the medicines, hospital-stores, and settling accounts with the surgeons, mates, &c. and attending the commissioners at Hartford, 1164 dollars; for 1179 rations from 31st December, 1776, to 10th May, at 8-90 dollar, 104 72-90 dollars, and for 567 rations, from 10th May to 12th July, at 10-90, is 63 dollars, making in the whole 2145 22-90 dollars:

To George Everson, his account for removing military stores from different parts of New-Jersey to Philadelphia, &c. last winter, also expenses and wages as assistant commissary of military stores, from 10th July, 1776, to 16th January, 1777, he having been employed in that capacity by gov. Livingston, and the commissary-general of the department, 272 63-90 dollars:

To Adam Good, 46 meals supplied continental troops on their march to camp, 5 18-90 dollars:

*Ordered*, That the said accounts be paid.

A memorial from captain Jost Driesbach, and a letter from John Smith to R. H. Lee, esq. were laid before Congress:

*Ordered*, That they be referred to the board of treasury.

Congress proceeded to the election of a pay-master for the North-Carolina light-horse, in the service of the continent; and, the ballots being taken,

William Hardy was chosen.

Congress resumed the consideration of the resolution reported from the committee of the whole: Whereupon,

It was moved, "that the interest which shall arise after the date of this resolution on certificates already issued be paid in bills of exchange;"

<i>New-Hampshire</i> , Mr. Folsom,	ay	} ay	<i>Pennsylvania</i> , Mr. Morris,	ay	} ay
Frost,	ay		Roberdeau,	ay	
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay	} ay	Wilson,	ay	} ay
J. Adams,	ay		Mr. Reed,	ay	
Gerry,	ay		Mr. Chase,	no	
Lovell,	ay	} ay	<i>Delaware</i> , Mr. Harrison,	no	} no
<i>Rhode-Island</i> , Mr. Marchant,	ay		<i>Maryland</i> , R. H. Lee,	ay	
<i>Connecticut</i> , Mr. Dyer,	no	} ay	Jones,	no	} no
Williams,	ay		<i>Virginia</i> , Mr. Penn,	ay	
Law,	ay		<i>N.-Carolina</i> , Harnett,	ay	
<i>New-Jersey</i> , Mr. Witherspoon,	ay	} ay	<i>S.-Carolina</i> , Mr. Heyward,	ay	} ay
Clark,	ay		Laurens,	no	
			<i>Georgia</i> , Mr. Brownson,	no	} no

So it was resolved in the affirmative.

The resolution of the committee of the whole was read and agreed to, viz.

*Resolved*, That the interest which shall arise after the date of this resolution on loan-office certificates already issued, or which shall be issued before the 1st day of March next, be annually paid at the respective loan-offices, in bills of exchange on the commissioners of the United States in Paris, at the rate of five livres of France for every Spanish milled dollar due for interest as aforesaid, or in continental bills of credit, at the option of the respective lenders:

*Ordered*, That the same be published.

*Ordered*, That five members be added to the committee appointed to consider the letter of S. Hopkins, esq. and the proceedings of the committee from New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, and New-York:

The members chosen, Mr. Duane, Mr. Gerry, Mr. Marchant, Mr. Morris, and Mr. Dyer.

**Ordered,** That the committee prepare an earnest recommendation to the several states to proceed to taxation, and that the said committee prepare an estimate of the quotas to be raised in each state by such taxation, having regard to their present circumstances, condition and abilities, but without respect to the quota hereafter to be assigned to each state for defraying the expense of the war.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

THURSDAY, *September 11, 1777.*

A letter, of the 10th, and, one, of the 11th, from R. H. Harrison, were read, the last informing, that the enemy are advancing, and that their present appearance indicates a disposition to pursue the route by Chad's Ford :

**Ordered,** That the last be referred to the committee of intelligence.

The committee to whom it was referred "to consider under what regulations and restrictions regimental officers shall for the future receive their rations," brought in a report, which was read and agreed to, as follows :

Whereas, by the 24th article of the regulations of the department of the commissaries, it is provided, "That no provisions be issued to any persons but by the written order of the commander in chief, the commander of any department, the quarter-master general, any of his deputies or assistants, the commanding officer of a party, describing the person in whose favor such order shall be given, or upon a return signed by the commanding officer of a corps or detachment thereof, whether commissioned or non-commissioned officer, or by the regimental quarter-master:" and whereas, by the last clause of the said article, the issuing commissaries, upon receiving such returns, have considered themselves authorized or obliged to issue provisions indiscriminately to the officers and privates therein contained, and many inconveniencies have arisen therefrom ;

**Resolved,** That the officers of each regiment, corps and detachment, be empowered to divide themselves, as often as they shall think proper, into messes, not exceeding six to a regiment, and to signify the same to the officer signing the provision return, who shall thereupon distinguish in each return the names of the officers so divided into messes ; and the issuing commissaries are respectively directed to deliver to the head of each mess, as aforesaid, the rations due to the same, or such part thereof as the head of the mess shall require, taking receipts for the same on the respective returns, and charging the whole of the rations delivered to the officers and privates, contained in each return, to the proper regiment, corps, or detachment, as directed in the 22d article of the said regulations.

A motion being made, was referred to a committee of three :

The members chosen, Mr. J. Adams, Mr. Chase, and Mr. Jones.

The committee on foreign applications laid before Congress the demands of the baron de Kalb and the viscount de Mauroy, in behalf of themselves and the gentlemen who accompanied them, for their expenses on this continent and return to France :

**Ordered,** that the same be referred to the board of treasury.

A memorial, from David Forman, for himself and partners, was read, praying for a guard of 100 men to protect salt-works, which, on obtaining such a guard, they undertake to erect :

**Ordered,** That it be dismissed.

The committee to whom the memorial of Dr. Allison and others was referred, report, "That they have conferred fully with the printers, &c. in this city, and are of opinion, that the proper types for printing the Bible are not to be had in this country, and that the paper cannot be procured, but with such difficulties and subject to such casualties, as render any depend-

ance on it altogether improper: that to import types for the purpose of setting up an entire edition of the bible, and to strike off 30,000 copies, with paper, binding, &c. will cost £. 10,272 10, which must be advanced by Congress, to be reimbursed by the sale of the books: that, in the opinion of the committee, considerable difficulties will attend the procuring the types and paper; that, afterwards, the risque of importing them will considerably enhance the cost, and that the calculations are subject to such uncertainty in the present state of affairs, that Congress cannot much rely on them: that the use of the Bible is so universal, and its importance so great, that your committee refer the above to the consideration of Congress, and if Congress shall not think it expedient to order the importation of types and paper, the committee recommend that Congress will order the committee of commerce to import 20,000 Bibles from Holland, Scotland, or elsewhere, into the different ports of the states of the Union:”

Whereupon, it was moved, That the committee of commerce be directed to import 20,000 copies of the Bible;

<i>New-Hampshire</i> , Mr. Folsom,	ay	}	ay	<i>Pennsylvania</i> , Mr. Wilson,	ay	}	ay			
	Frost,			ay				Roberdeau,	ay	
<i>Massa'etts-Bay</i> , Mr. S. Adams,	ay	}	ay	<i>Delaware</i> ,	Mr. Reed,	no	}	no		
	J. Adams,			ay		<i>Maryland</i> ,			Mr. Chase,	no
	Gerry,			ay		<i>Virginia</i> ,	Mr. Harrison,	no	}	no
	Lovell,			ay			F. L. Lee,	ay		
<i>Rhode-Island</i> , Mr. Marchant,	ay	}	ay		Jones,	no	}	no		
<i>Connecticut</i> , Mr. Dyer,	ay					<i>N.-Carolina</i> ,			Mr. Harnett,	no
	Law,	ay	}	<i>S.-Carolina</i> ,	Mr. Middleton,	no	}	no		
	Williams,	ay							Heyward,	no
<i>New-York</i> , Mr. Duane,	no	}	*		Laurens,	ay	}	ay		
<i>New-Jersey</i> , Mr. Witherspoon,	ay					<i>Georgia</i> ,			Mr. Brownson,	ay
	Clark,	ay								

So it was resolved in the affirmative. A motion being made,  
*Ordered*, That the consideration thereof be postponed to Saturday next.  
 Adjourned to six o'clock, P. M. at which time met,  
 And, postponing the several matters to this day referred,  
 Adjourned to ten o'clock to-morrow.

#### FRIDAY, September 12, 1777.

Congress being called by the president at six o'clock, A. M.

A letter, of the 11th, five o'clock, P. M. from R. H. Harrison at Chad's-Ford, and one of the same date, eleven o'clock, P. M. from general Washington, at Chester, were read:

*Ordered*, That they be published.

Adjourned to ten o'clock.

#### TEN O'CLOCK, A. M.

*Ordered*, That 500 dollars be advanced to the delegates of New-Hampshire, for the use of their state, which is to be accountable.

*Resolved*, That an express be immediately sent to general Putnam, with orders to send forward the 1500 continental troops, lately directed to be held in readiness, with all possible expedition, to reinforce the army under general Washington; and that general Putnam be directed, for the greater expedition, to disencumber the troops of all heavy baggage and such as is not absolutely necessary; the heavy baggage to be sent after them:

That an express be sent to general Dickinson, desiring him to come forward, with all possible despatch, with the militia of New-Jersey, to reinforce the army under general Washington.

That expresses be immediately sent to brigadier-general Smallwood and col. Gist, directing them to come forward, with all possible despatch, with the continental troops and militia under their respective commands, to re-

inforce gen. Washington's army, and that for greater despatch, they disencumber themselves of all heavy and unnecessary baggage :

That the president and supreme executive council of Pennsylvania be requested, in the name of Congress, to call upon the militia of Philadelphia, and parts adjacent, to go forth immediately, and reinforce general Washington's army, for the defence of this city :

That an express be sent to colonel Gibson, of the battalion of Virginia troops at Alexandria, to desire him to proceed immediately with his regiment to reinforce the army under general Washington, provided the orders received from the government of Virginia do not prevent him ; and if he is restrained by any such orders, that he despatch an express, without delay, to Williamsburg, and inform the governor and council, that it is the desire of Congress that the said regiment be immediately sent forward for the purpose aforesaid ; and that he hold himself in readiness to execute the orders he shall receive from the governor.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That there be advanced to the state of Maryland, upon the application of the governor, 20,000 dollars, the said state to be accountable.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Maryland, in favor of the governor of the said state, upon his application, for 30,000 dollars, for which the said state is to be accountable.

That there be paid to Abner Nash, esq. 650 dollars, in discharge of two bills drawn by John Ashe, esq. public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for payment and support of the continental troops in the said state ; the one dated the 5th March, 1777, for 500 dollars, in favor of William Dry, esq. the other dated 10th May, 1777, for 150 dollars, in favor of James Payenneville, and both transferred to the said Abner Nash, and for which the state of North-Carolina is to be accountable ; the same being in part of the money appropriated by Congress for the use of that state :

That there be advanced to Messrs. Rudolph & Co. 3000 dollars on account of a debt due to them from the United States, and for which they are to be accountable.

An appeal from a sentence passed in the court of admiralty for the state of South-Carolina, on the libel Edward Weyman against George Arthur, was received and referred to the committee for hearing and determining appeals.

Adjourned to five o'clock.

#### FIVE O'CLOCK, P. M.

*Ordered*, That the continental navy-board, without delay, provide a proper boat or vessel for the marquis de la Fayette, and one for Mons. du Courdray, to convey them and their attendants and baggage to New-Jersey.

*Resolved*, That the commissary-general of purchases be directed to purchase, on the most reasonable terms he can, 30 hogsheads of rum, and that the same be presented to the army, and distributed among the soldiers in such manner as the general shall direct, in compliment to the soldiers for their gallant behaviour in the late battle of Brandywine.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, September 13, 1777.

A letter, of this day, from gov. Livingston, was read ; also, a letter, of the 6th, from gov. Johnson, of Maryland, to gen. Washington.

A memorial from George Ewing, commissary of hides, was read ; Whereupon,



*Ordered*, That 1000 dollars be advanced to G. Ewing, he to be accountable.

A letter, of the 11th, from J. Shallus, at Lancaster; one, of the 13th, from Mons. du Coudray; and one, of the same date, from the continental navy-board, were read.

*Resolved*, That gen. Washington be directed to give the necessary orders for completing the defences of Delaware river, and to employ for that purpose such officers, engineers and troops as he shall think proper.

*Ordered*, That 50,000 dollars be advanced to the continental navy-board for public service, the said board to be accountable.

Whereas, Congress have received information that Mons. Lewis de Fleury, during very gallant exertions in the late battle of Brandywine, near Birmingham meeting-house, had his horse shot under him:

*Resolved*, That the quarter-master general present him with a horse, as a testimonial of the sense Congress have of Mons. de Fleury's merit.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Pennsylvania, in favor of Dr. Shippen, director-general of the hospital, for 50,000 dollars, for the use of his department; he to be accountable:

That there be paid to Thomas Patton, 136 dollars, for 102 days' attendance as messenger of Congress, at 1 1-3d dollar a day:

That there be advanced to Mons. Lotbinier, chaplain in the service of the United States, 48 dollars on account of his pay and rations, and for which he is to be accountable.

*Ordered*, That the letter from Mons. du Coudray, with an account of the French officers enclosed, of whom he proposes to form a company of volunteers to join the army, and for whom he solicits brevet commissions, be referred to the board of war.

*Resolved*, That gen. Washington be directed to order a court of enquiry into the conduct of brigadier-gen. de Borre since his appointment, and that, in the mean while, brigadier-gen. de Borre be recalled from the army.

A letter from Mons. du Coudray was read:

*Ordered*, To lie on the table.

The several matters to this day referred being postponed,

Adjourned to ten o'clock to-morrow.

#### SUNDAY, September 14, 1777.

A letter, of the 13th, from gen. Washington, at Germantown, and two, of the same date, from gen. Dickinson, were read.

The president informed Congress that, in consequence of the resolution passed yesterday, brigadier-gen. de Borre had waited on him, and offered to resign his commission:

*Resolved*, That his resignation be accepted.

A letter, of this day, from Thomas Wharton, jun. esq. president of the council of Pennsylvania, was read, requesting an advance of 200,000 dollars for public service; Whereupon,

*Ordered*, That 200,000 dollars be advanced to the state of Pennsylvania, for public service, the said state to be accountable.

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania, immediately to appoint proper and discreet persons to take into possession any linens, blankets and other woollens, shoes, spirits and other necessaries for the use of the army, which they may find in any stores or ware-houses in the city of Philadelphia; giving a certificate expressing the quantity and value, and to cause the goods so taken to be conveyed to some secure place to prevent their falling into the hands of the enemy.

A letter of the 3d, and one of the 10th, from gen. Gates, enclosing copies

of sundry letters that passed between him and lieutenant-gen. Burgoyne and brigadier-gen. Simon Frazer, were read :

*Ordered*, That the same be referred to the committee of intelligence.

*Ordered*, That the board of war direct the commissary-general of military stores, to apply to the supreme executive council of the state of Pennsylvania, for an order to remove all public bells, in Philadelphia, to a place of security, upon a near approach of the enemy to the city.

Congress being informed that some of the towns in the western division of New-Jersey are plentifully supplied with blankets, which the inhabitants can spare for the use of the army,

*Resolved*, That the president write to the governor and council of New-Jersey, and request them to call on the inhabitants of the abovementioned places, for as many blankets as can be spared, to supply the soldiers of gen. Washington's army, many of whom have lost their blankets in the late battle of Brandywine, and cannot be supplied by the state of Pennsylvania; and that the cost of the said blankets be defrayed by the United States.

*Ordered*, That the board of war give directions, and take proper measures, to have ten pieces of brass cannon brought, as speedily as possible, from Springfield, to the west side of Hudson's river.

*Resolved*, That general Sullivan be recalled from the army, until the enquiry, heretofore ordered into his conduct, be duly made.

*Resolved*, That if Congress shall be obliged to remove from Philadelphia, Lancaster be the place where they shall meet.

A petition from the Chevalier de Preudhomme de Borre was read, praying to have his wagon till his arrival at Charlestown, and an order to have forage for his horses, he engaging, on his arrival at Charlestown, to send the wagon back to the continental army :

*Resolved*, That the prayer of his petition be granted.

The committee on the treasury brought in a report; Whereupon,

*Resolved*, That the president draw bills of exchange on the commissioners of Congress at Paris, in favour of the several officers, and for the several sums hereafter mentioned, the said bills to be made payable at thirty days after sight, and to express value received by and chargeable to Congress, viz.

A set in favor of baron de Kalb for 6000 livres tournois; a set in favor of viscount de Mauroy for 6000 do. a set in favor of Mons. de Leser for 7613 do. a set in favor of Mons. de Valfort for 7393 do. a set in favor of the chevalier de Franval for 7200 do. a set in favor of the chevalier de Fayolle for 2400 do. a set in favor of Mons. de Vrigny for 5200 do. a set in favor of the chevalier de Buysson for 4712 do. a set in favor of Mons. du Bois Martin for 6353 do. and a set in favor of Mons. Canden for 1800 do.

*Resolved*, That there be paid to the following gentlemen, the several sums hereafter specified, to defray, with the sums above directed to be drawn in bills of exchange on the commissioners at Paris, in their favor, the expenses of their coming from France and returning thither, viz.

To baron de Kalb 500 dollars; to Mons. de Leser 765 do. to Chevalier de Fayolle 300 do. to chevalier du Buysson 200 do. to viscount du Mauroy 500 do. to Mons. de Valfort 822 do. to Mons. Vrigny 410 do. to Mons. Canden 300 do.

*Resolved*, That the public papers be put under the care of Mr. Clark, and that he be empowered, upon the Congress removing to Lancaster, to procure wagons sufficient for conveying them thither, and apply to general Dickinson, or any other officer commanding troops in the service of the United States, who is hereby directed to furnish a guard to conduct the said papers safely to Lancaster.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

MONDAY, September 15, 1777.

A letter, of the 15th, from Thomas Wharton, jun. president of the council of Pennsylvania; one, of the 8th, from John Carter, one of the commissioners for auditing accounts in the northern department, requesting, as important business requires his immediate presence at Boston, that another commissioner may be appointed in his room; also, a petition from Robert White, deputy commissary-general of issues, requesting, as upon trial he finds it impossible for him to do the duties of the office, that he may have leave to resign his commission, were read:

*Resolved*, That, for the reasons assigned, Mr. Carter and Mr. White have leave to resign their commissions.

A letter, from Mons. du Coudray to Mr. Chase, was laid before Congress and read, wherein he requests, for himself and sundry gentlemen who accompanied him to this country from France, to have an opportunity of fighting in the American army, without running the risque of not being subject of exchange, should they, by the fortune of war, be made prisoners; informing that any rank which Congress may think proper to give him and them will be acceptable, asking for himself only the rank of captain, for the commissioned officers who accompanied him, the rank of lieutenants, and for the non-commissioned officers the rank of ensigns; Whereupon,

*Resolved*, That his request be complied with, and that commissions be made out accordingly.

*Ordered*, That 1500 dollars be advanced to Mons. du Coudray, for himself and the gentlemen who accompanied him, he to be accountable.

*Resolved*, That a commander of the horse be appointed with the rank of a brigadier; the ballots being taken, count Pulaski was elected.

*Resolved*, That Mr. Frederick de Bedaulx be appointed a captain by brevet, and receive the pay and rations annexed to that rank from the 10th May last.

A deposition being laid before Congress, containing information of a conspiracy being formed against the United States, and intended to be put in execution within the state of Pennsylvania; and whereas it may happen that some persons may be concerned in it, who are not under the jurisdiction of that state;

*Resolved*, That Congress will co-operate with the said state in tracing the said conspiracy, and that it be recommended to the other states, within whose jurisdiction any of the conspirators may reside, to co-operate in the same manner with the state of Pennsylvania.

*Ordered*, That a warrant issue on the commissioner of the loan-office of the state of Pennsylvania, in fi of purchases, for \$200 dollars, to be accountable.

*Ordered*, That 100,000 dollars be paid to the said state for the loan-office in the said state for the commissioner of the loan-office 50,000 dollars, the said state to be accountable.

The assembly of Pennsylvania their state, an extract from the

“ IN GENERAL ASSEMBLY OF P

“ Agreeable to the order of resolution of the choosing new delegates was resolved, that new delegates be chosen, than B. Smith, esq. who has been chosen, and Clymer, esqrs. who are hereby

ed to the said election by ballot, when Joseph Reed, esq. William Clingan, esq. and Dr. Samuel Duffield, were duly elected.

“ Extract from the minutes,

“ J. MORRIS, *Clerk of Assembly.*”

*Resolved*, That another major-general be appointed in the army of the United States; the ballots being taken, baron de Kalb was elected.

The several matters to this day referred being postponed,  
Adjourned to ten o'clock to-morrow.

**TUESDAY, September 16, 1777.**

A letter, of the 15th, from governor Livingston, at Haddonfield, was read, requesting a supply of ammunition: Whereupon,

*Resolved*, That the commissary-general of military stores be directed to supply the state of New-Jersey with the quantity of cartridges mentioned in the resolve of the assembly of that state, dated the 15th of September, taking care that a sufficient quantity be reserved for the use of the army under general Washington; but if the quantity of cartridges aforesaid cannot safely be spared, that, in that case, he supply the quantity of powder and lead mentioned in the said resolve.

A letter, of the 15th, from general Dickinson, at Trenton; one, of the 15th, from gen. Washington, at the Buck-Tavern, and another of the same day, from him, dated camp, between the Warren and White-Horse-Taverns, were read.

*Resolved*, That the president and supreme executive council of Pennsylvania be informed of general Washington's desire, that the provisions in this city should be removed to a place of safety; reserving only what may be necessary for the use of the inhabitants and for the army under his command; and that the president and council be desired, in the name of this Congress, to take the most speedy and effectual measures to have the same carried into execution; also, that the president and council be requested to exert the most vigorous efforts to obtain from this city as many blankets as possible, and with the greatest expedition, as the general represents many of the soldiers to be without blankets, and that their health will be much exposed by remaining so.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Connecticut, for 200,000 dollars, in favor of William Buchanan, esq. commissary-general of purchases, for the use of the northern department, the said commissary-general to be accountable:

That there be advanced to the said W. Buchanan, esq. commissary-general of purchases, 200,000 dollars, for the use of his department, he to be accountable.

Sundry letters and invoices of cargoes imported in the Neptune, captain Isaac Lee, and the Success, captain Cabbot Gerrish, from Bilboa to Boston, were laid before Congress:

*Ordered*, That they be referred to the committee of commerce.

*Resolved*, That the commissary-general of issues, the quarter-master general, the commissary-general of military stores, the director-general, and clothier-general, be severally directed to remove without delay, to Bethlehem, or some other place of safety, the patients, or stores belonging to their respective departments, ordered to, or deposited in, Trenton.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of the committee of commerce, for 5000 dollars, for which they are to be accountable:

That a warrant issue on the said loan-officer for 8000 dollars, in favor of the continental navy-board in Philadelphia, they to be accountable:

That there be advanced to the delegates of the state of Georgia, 25,000 dollars, to discharge a bill drawn on them by that state, in favor of col. John White, and that it be considered as part of the sum appropriated for the military chest in the said state, and for which the said state is to be accountable :

That there be advanced to the delegates for the state of Georgia, 3000 dollars, out of the sum appropriated to that state on account of its claim against the United States for expenditures for the public service, for which sum the said state is to be accountable.

Congress took into consideration the letter of the 15th from gen. Washington : Whereupon, it was moved to be resolved,

That the execution of the resolution of Congress, for the recall of general Sullivan from the army in the present critical situation of affairs, be left to the discretion of general Washington until further orders :

To which it was moved to add, " And that Congress submit to the discretion of general Washington, whether it would not be adviseable to place the Maryland and Delaware troops under the command of some other major-general, it being at the request of the delegates of those states ?" The question put on the addition ;

<i>N.-Hampshire</i> , Mr. Folsom,	no	} no	<i>Delaware</i> ,	Mr. Reed,	ay	} ay
<i>Massa'tts-Bay</i> , Mr. S. Adams,	no	}	<i>Maryland</i> ,	Mr. Chase,	ay	}
J. Adams,	no			W. Smith,	ay	
Gerry,	no		<i>Virginia</i> ,	Mr. Harrison,	no	}
Lovell,	no			Jones,	no	
<i>Rhode-Island</i> , Mr. Marchant,	no	} no		R. H. Lee,	no	}
<i>Connecticut</i> , Mr. Dyer,	no	}	<i>N.-Carolina</i> ,	Mr. Burke,	no	}
Williams,	no			Penn,	no	
Law,	no		<i>S.-Carolina</i> ,	Mr. Laurens,	no	}
<i>New-Jersey</i> , Mr. Elmer,	no	} no	<i>Georgia</i> ,	Mr. Walton,	no	
<i>Pennsylvania</i> , Mr. Morris,	no	}		Brownson,	ay	}
Roberdeau,	no					

So it was passed in the negative.

Question to agree to the first motion, resolved in the affirmative.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, September 17, 1777.

A letter, of this day, from governor Livingston, and one enclosed to him from general Dickinson, were read ; Whereupon,

*Resolved*, That, in the present situation of affairs, it be left to the discretion of governor Livingston, to retain the whole of the militia of New-Jersey for the defence of that state, or to send a part of the said militia to reinforce the army under general Washington, as circumstances may make it necessary :

That governor Livingston be requested to afford every assistance in his power for the speedy removal of the public stores from Trenton to Bethlehem, or some other place of safety.

*Ordered*, That copies of the letters received from gov. Livingston and gen. Dickinson, be forwarded immediately to general Washington.

Whereas, Mons. du Coudray, colonel brigadier in the service of his most Christian Majesty, the king of France, and commander in chief of the artillery in the French colonies of America, gallantly offered to join the American army as a volunteer, but, in his way thither, was most unfortunately drowned in attempting to cross the Schuylkill :

*Resolved*, That the corpse of the said Mons. du Coudray be interred at the expense of the United States, and with the honors of war ; and that the town-major carry this order into execution.



Whereas, notwithstanding the brave exertions of the American army, the city of Philadelphia may possibly, by the fortune of war, be, for a time, possessed by the enemy's army, which availing itself of the provisions and other necessary supplies now in it, may be enabled to prosecute the war with vigor; and whereas it is absolutely essential to the liberties of the United States, that the most effectual and speedy means should be adopted for securing, for the use of the American army, every article which may be necessary for their equipment and subsistence; and whereas, from the near approach of the enemy's army, and by the wicked arts of extortioners, engrossers and others, enemies to the liberties of America, it may be impracticable to collect in time, and by way of regular purchase, a competent supply; and whereas it may be essential to the public welfare, that Congress should adjourn to some place more remote than this city from the scene of action, in order that its deliberations may be conducted without interruption; therefore,

*Resolved*, That general Washington be authorized and directed to suspend all officers who shall misbehave, and to fill up all vacancies in the American army, under the rank of brigadiers, until the pleasure of Congress shall be communicated; to take, wherever he may be, all such provisions and other articles as may be necessary for the comfortable subsistence of the army under his command, paying or giving certificates for the same: to remove and secure, for the benefit of the owners, all goods and effects which may be serviceable to the enemy; provided, that the powers hereby vested shall be exercised only in such parts of these states as may be within the circumference of 70 miles of the head-quarters of the American army, and shall continue in force for the space of 60 days, unless sooner revoked by Congress.

*Resolved*, That the public faith be pledged for the payment of the provisions or other articles to be taken, and for which certificates shall have been given, at such prices as are expressed in the certificates; or, if the prices are not expressed, to be paid for as the same shall be valued by commissioners for that purpose to be hereafter appointed by Congress.

*Ordered*, That Mr. Frost have leave of absence for recovery of his health.

A letter, of this day, from the executive council of Pennsylvania, in answer to the resolves of yesterday, was read:

*Ordered*, That a copy thereof be sent to general Washington.

Adjourned to six o'clock.

SIX O'CLOCK, P. M.

Congress met, and, postponing the several matters to this day referred, Adjourned to ten o'clock to-morrow.

THURSDAY, *September 18, 1777.*

A letter, of the 17th, from general Washington, at the Yellow-Springs, was read.

*Resolved*, That the order for removing the sick and wounded, and hospital stores from Trenton, be suspended.

A letter, of the 14th, from colonel Joseph Wood, was read:

*Ordered*, That it be transmitted to general Washington.

A memorial from col. Flower was read, together with a list of the corps of the artillery, artificers and other officers under the command, and in the department of the commissary-general of military stores; Whereupon,

*Resolved*, That commissions be granted to the said officers, agreeable to their respective ranks.

*Resolved*, That chaplains be appointed to the hospitals in the several departments, and that their pay be each 60 dollars a month, and three rations a day, and forage for one horse:

The Rev. Mr. Noah Cook was elected chaplain of the hospitals in the eastern department.

*Resolved*, That major-gen. Armstrong be directed, forthwith, to cause all the printing-presses and types in this city and Germantown, to be removed to secure places in the country, excepting Mr. Bradford's press in this city, with English types.

*Resolved*, That there be paid to Robert Towers, acting as commissary of military stores, and continental armourer, from 19th November, 1775, to 19th May, 1777, two dollars a day, including the keeping of a horse.

A letter, of the 16th, from gen. Putnam, at Peekskill, was read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

During the adjournment, the president received a letter from col. Hamilton, one of gen. Washington's aids, which intimated the necessity of removing the Congress immediately from Philadelphia; Whereupon, the members left the city, and, agreeably to the resolve of the 14th, repaired to Lancaster.

#### LANCASTER, SATURDAY, *September 27, 1777.*

A letter, of the 15th, from general Gates, at the heights above Behman's; one, of the 16th, from colonel Gist, at Christiana-bridge; one, of the 16th, from col. Gibson, at Alexandria; and one, of the 23d, from gen. Washington, at Pottsgrove, were read:

A letter from brigadier-gen. Conway, one from col. G. Morgan, at Fort-Pitt, with several papers enclosed, and a letter from the baron de Kalb to col. R. H. Lee, were read:

*Ordered*, That they be referred to the board of war.

A letter, of the 16th, from Joseph Trumbull, was read:

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That the board of war be directed to co-operate with general Washington in devising and carrying into execution effectual measures for supplying the army with fire-arms, shoes, blankets, stockings, provisions, and other necessaries; and that, in executing this business, these collections be confined, as much as circumstances will admit, to persons of disaffected and equivocal characters.

*Resolved*, That the treasury board direct the treasurer, with all his papers, forms, &c. to repair to the town of York, in Pennsylvania.

Adjourned to York-town, there to meet on Tuesday next, at ten o'clock.

#### YORK-TOWN, TUESDAY, *September 30, 1777.*

Met and adjourned to ten o'clock to-morrow.

#### WEDNESDAY, *October 1, 1777.*

Congress having appointed the Religion their chaplains, and the latter having

*Resolved*, That the Rev. Mr. George

*Resolved*, That the appointments of as to chaplains of the hospitals in the

*Resolved*, That, till further orders, M. sit till one, then adjourn to four.

A memorial from Daniel and Samuel de Kalb, were read:

*Ordered*, That they be referred to

The committee on the treasury brought

*Ordered*, That a warrant issue on Connecticut, and another on the com

in the state of Rhode-Island, each for 50,000 dollars, in favor of Joseph Trumbull, esq. late commissary-general, on his application by letter, dated Hartford, September 16th, 1777, to discharge his engagements in that department, and for which he is to be accountable.

A letter of the 18th, one of the 19th, and one of the 29th, of September, from gen. Washington; two, of the 22d of September, from general Gates, with sundry papers enclosed; five from brigadier-gen. R. Howe, at Charleston, viz. one of the 25th August, two of the 28th, one of the 29th August, and one of the 12th of September; a letter and memorial from A. Gwinnett, of Georgia; a letter from John Adam Treutlan, governor of Georgia, with sundry papers enclosed; one from lieutenant-col. Hale; one from col. Lewis Nicola, and one from Barnabas Deane, were read.

A memorial from Monsieur de Borre was read:

*Ordered*, That it be dismissed.

A petition from Abraham Nimham, and one from James Hallet, were read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, October 2, 1777.

*Ordered*, That the letter from gen. Gates be referred to the board of war:

That the letter, of the 25th August, from brigadier-gen. Howe, be referred to the medical committee.

*Resolved*, That the resignation of brigadier-gen. Gadsden be accepted.

*Ordered*, That the letters of 28th and 29th August, and 12th September, from brigadier-gen. Howe, be referred to the board of war.

That the letters from Mrs. Gwinnett, and the governor of Georgia, be referred to a committee of three:

The members chosen, Mr. Laurens, Mr. Brownson, and Mr. Harnett.

*Ordered*, That the letter from lieutenant-col. Hale be referred to the committee for conducting the enquiry into the causes of the loss of Ticonderoga, and the conduct of the general officers in that department.

*Ordered*, That a warrant issue on Mr. Lawrence, commissioner of the loan-office in Connecticut, for 20,000 dollars, in favor of Barnabas Deane, the same being in lieu of a like order in his favor, dated 6th May last, which was presented for payment 18th August, but has not been paid, the order being lost.

A letter, of 17th September, from Jeremiah Powell, president of the council of Massachusetts-Bay, enclosing a copy of a letter from Joshua Loring, British commissary of prisoners, to Dr. Benjamin Church, proposing an exchange of Dr. M<sup>r</sup> Henry, of Philadelphia, for him, was read; Whereupon,

It was moved to comply with the proposal;

Question put, passed in the negative.

A letter, of the 20th Sept. from Jonathan Trumbull, jun. was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 8th August, and two, of the 11th September, from J. Rutledge, president of South-Carolina, were read:

*Ordered*, That the letter of the 11th, respecting prisoners, be referred to the marine committee, and the other two to the board of war.

A letter, of 30th September, from Issac Melchior, was read:

*Ordered*, That it be referred to the board of war.

A memorial from Daniel Batwel, was read:

*Ordered*, That a warrant issue on the treasurer or auditor-general of the United States, or on either of them, to pay to Josias Clapham, esq. colonel of a regiment of militia from the state of Virginia, 2000 dollars, for the use of the said regiment, he to be accountable.

## FOUR O'CLOCK, P. M.

A memorial, from Mons. le Brun, and a letter from John Dorsius, and one, from brigadier-general Howe, relative to eight French officers, were read.

Congress took into consideration the memorial from the Rev. Mr. Daniel Batwel, setting forth, "that, on a charge of being concerned in a conspiracy to destroy the continental magazines in this state, he was in custody of the keeper of the gaol of York county, by virtue of a commitment, until Congress or the supreme executive council of this state should take further order touching him, or until he should be otherwise discharged according to law;" and it appearing to Congress, by the certificate of Dr. Jameson that the memorialist is so much emaciated, by a complication of disorders, that his life will be endangered, unless he be removed from the said gaol:

*Resolved*, That the memorial be referred to the president and supreme executive council of this state, to take such order relative to the memorialist as they shall think proper; and that, in the mean time, the keeper of the gaol be directed to remove the petitioner from the said gaol to some other safe and proper place, and there grant him every indulgence necessary for the preservation of his health, consistent with the safe-keeping of his person; and that the commanding officer in this place afford the necessary assistance of guards for that purpose.

*Resolved*, That the articles of confederation be taken into consideration to-morrow morning, at 11 o'clock.

*Resolved*, That the commissary-general of provisions, the quarter-master general and their deputies, respectively, be directed to provide and supply, in the places where Congress may meet, such articles of their respective departments as may be required by the several members thereof, for the use of themselves, their servants and horses, the said members paying the cost of the said articles; and that this resolution extend to the secretaries, treasurer and the officers of the several boards and committees of Congress.

*Resolved*, That the treaty made by Benjamin Franklin and Silas Deane, at Paris, the 17th February, 1777, with the chevalier du Portail and others, be confirmed and ratified as far as it relates to Mons. de Laumoy.

A letter from W. Buchanan, commissary general of purchases, was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 1st, from the chevalier de Preudhomme de Borre was read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## FRIDAY, October 3, 1777.

A letter of the 1st, and one of the 12th September, from captain N. Bidle, of the Randolph frigate, the first containing charges against lieutenant Panatier de la Folconer; one, of the 26th August, and one, of the 12th September, from John Dorsius; also, two letters of intelligence respecting stores and clothing, were read:

*Ordered*, That the intelligence respecting stores and clothing be kept secret, and that the committee of commerce pursue such measures as they judge proper in consequence thereof.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be paid to James Hays, in discharge of a bill of exchange assigned to him by John Ashe, esq. public treasurer of the state of North-Carolina, on the continental treasurer, 250 dollars, being for pay and subsistence of the continental troops raised in that state; the said sum to be charged to the state of North-Carolina, in part of the money heretofore appropriated for the use of that state.

FOUR O'CLOCK, P. M.

**Resolved**, That Monday next be assigned for appointing commissioners to audit and settle the accounts of Georgia against the United States.

The board of war brought in a report, which was taken into consideration; Whereupon, it was moved,

“ That the consideration of the report from the board of war, respecting the baron de Kalb, be postponed; that a copy of the baron's letter to R. H. Lee, esq. of the 28th September, and of brigadier-general Conway's letter to Congress of the 25th September, be transmitted to general Washington, and that he direct an enquiry to be made into the priority of rank between the baron de Kalb and general Conway in France, and report the same to Congress:”—Question put;

<i>New-Hampshire</i> , Mr. Folsom,	no } no	<i>Maryland</i> ,	Mr. Chase,	no }	div.
<i>Massa'tte-Bay</i> , Mr. S. Adams,	no }		Carroll,	ay }	
J. Adams,	no }	<i>Virginia</i> ,	Mr. Harrison,	ay }	div.
Gerry,	no }		Jones,	ay }	
Lovell,	no }		F. L. Lee,	no }	
<i>Rhode-Island</i> , Mr. Marchant,	no }		R. H. Lee,	no }	
<i>Connecticut</i> , Mr. Dyer,	no }	<i>N.-Carolina</i> ,	Mr. Penn,	ay }	ay
Law,	ay }		Harnett,	ay }	
Williams,	no }	<i>S.-Carolina</i> ,	Mr. Middleton,	ay }	
<i>New-York</i> , Mr. Duane,	ay }		Heyward,	no }	no
Duer,	ay }		Laurens,	no }	
<i>Pennsylvania</i> , Mr. Roberdeau,	no }	<i>Georgia</i> ,	Mr. Brownson,	no }	no

So it passed in the negative.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

SATURDAY, October 4, 1777.

A letter, of the 30th September, from Charles Stewart, commissary-general of issues, and one of this day from the chevalier de Borre, were read:

**Ordered**, That such part of Mr. Stewart's letter as relates to money, be referred to the board of treasury, and the remainder to the board of war.

Congress took into consideration the letter of the 1st, from Mons. Preudhomme de Borre, wherein he asks to be made a major-general, and complains of being condemned before he was heard; and considering that Congress had ordered an enquiry into the conduct of Mr. de Borre, and that he, being notified thereof, did, on the 14th of September, wait on the president with an offer to resign his commission of brigadier-general; and his resignation being accepted,

**Resolved**, That Congress do not consider him as an officer in the service of the United States, he having resigned his commission; and that his request to be made a major-general, or to be further employed in the service of the United States, cannot be complied with.

A motion was made, “ That general Washington be directed to order 2000 stands of the arms expected from Springfield, to the state of Maryland, to be delivered to the governor and council of that state, the arms so delivered to be charged to that state:” on motion made, and question put,

**Resolved**, That the consideration thereof be postponed.

Congress was moved to pass the following resolution: “ Whereas, it appears by letters to Congress from John Adam Treutlan, esq. governor of Georgia, and particularly by one dated 19th June last, that it is the desire of the executive powers of government in the state of Georgia, that Congress should take under their consideration the several accusations against George M'Intosh, and determine on the case, and for that purpose have transmitted to Congress, divers minutes of council and assembly, together with certified copies of depositions relative to the said case, and had for that purpose ordered that the said M'Intosh should be conducted under guard to Philadelphia;



and whereas, the said George M'Intosh has signified his consent to submit to an enquiry, by a committee of Congress, into the causes of his commitment:

*Resolved*, That the committee appointed to consider and report upon the letters, depositions, and other papers which have been received from governor Treutlan, be authorized to inform the said G. M'Intosh, now attending the orders of Congress, of the accusations alleged against him, and to furnish him, if he shall require it, with copies of the depositions and other evidence in support of the charge, to hear and receive such answers as he may offer in his defence, and report the whole to Congress."

The question put, passed in the negative.

A motion was then made, that it be

*Resolved*, That the committee to whom the letter from governor Treutlan, with the papers accompanying them, were referred, be discharged from considering them ;

<i>New-Hampshire</i> , Mr. Folsom,	ay	} ay	
<i>Massa'tts-Bay</i> , Mr. S. Adams,	no		
J. Adams,	no		
Gerry,	no		
	Lovell,	no	} no
<i>Rhode-Island</i> , Mr. Marchant,	no		
<i>Connecticut</i> , Mr. Dyer,	ay	} ay	
Law,	no		
Williams,	ay		
<i>New-York</i> Mr. Duane,	no	} no	
Duer,	no		
<i>Pennsylvania</i> , Mr. Roberdeau,	no	} no	

<i>Maryland</i> ,	Mr. Chase,	ay	} ay
	Carroll,	ay	
	Smith,	ay	
<i>Virginia</i> ,	Mr. Harrison,	no	} ay
	F. L. Lee,	ay	
	Jones,	ay	
	R. H. Lee,	ay	} ay
<i>N.-Carolina</i> ,	Mr. Penn,	ay	
	Harnett,	ay	
<i>S.-Carolina</i> ,	Mr. Middleton,	ay	} ay
	Heyward,	ay	
	Laurens,	no	
<i>Georgia</i> ,	Mr. Brownson,	ay	} ay
	Walton,	no	

So it was resolved in the affirmative.

A motion was made respecting George M'Intosh ; and, on motion,

*Resolved*, That the consideration thereof be postponed till Monday next.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That there be paid to Mons. de Romanet, Mons. du Ballet, Mons. Villefranche, Mons. l'Enfant, Mons. Niverd, Mons. Fouquet and Mons. Fouquet, jun. lately arrived from France, to tender their services to the United States, each 100 dollars, for which they shall be respectively accountable.

*Resolved*, That the commissary-general of issues be supplied, from time to time, with money for the payment of the several officers and other expenses of his department, out of the continental treasury, for which purpose he is to apply to Congress, and to be accountable for the expenditure ; and that 10,000 dollars be advanced to him or his agent, on account of the said department, for which he is to be accountable.

FOUR O'CLOCK, P. M.

The committee to whom were referred the two letters to William Buchanan, esq. commissary-general of purchases ; one from Peter Colt, esq. and the other from gen. Putnam, on the subject of the commissary's department, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That if the deputy commissary-general of purchases, or of issues, appointed for the eastern district, shall decline to accept of, or officiate in, their respective offices, major-gen. Putnam, the commanding officer at Peekskill, or the commanding officer there for the time being, be authorized and directed to appoint suitable persons to those respective offices, or either of them ; and that major-gen. Gates, or the commanding officer for the time being of the northern department, have similar power with respect to the deputy commissary-general of purchases and of issues for the northern department, and that they respectively certify the names of the commissaries, which they may appoint, to Congress, for approbation.

**Resolved**, That every assistant appointed, or that hereafter may be appointed by the respective deputy commissaries-general of purchases and of issues, shall enter into bond to the president of Congress, in the penalty of 5000 dollars, for the faithful performance of his duty ; and such bond, being taken by the deputy commissary-general, and lodged with the pay-master general, or deputy pay-master general of the district, to be by him transmitted to the treasury board, the deputy commissary-general shall no longer be chargeable or accountable for the good behaviour of such assistants :

That every deputy commissary-general shall be authorized to appoint as many clerks, not exceeding the number of three, as the respective commissaries-general shall judge necessary, who are directed to report the same to Congress.

And whereas it is represented that it will be exceedingly difficult to comply with the regulations of Congress, for branding and numbering cattle on the horns :

**Resolved**, That the purchasers of live stock be respectively directed to adopt such other mode for marking the same as they shall judge expedient, and to transmit to Congress, by the earliest opportunity, the regulations for that purpose by them adopted :

That each of the deputy commissaries-general of purchases be authorized to allow to the purchasers of live stock, in his respective district, a longer time for making the returns required by the 10th article of the regulations of the department of the commissaries, than is therein specified ; provided such deputy commissary-general shall judge it necessary, and the time further allowed does not exceed one month. And if, in the hurry of a march or engagement, or at any other time, any deputy appointed to receive, kill, and deliver live stock, shall be unable to weigh the meat, hides, and tallow thereof, he shall be indemnified from any charge of neglect, upon producing to the respective purchaser of cattle, a certificate from the commanding officer of the army, post, or detachment, of the fact aforesaid ; and such certificate shall also excuse the purchaser of live stock from producing the receipt of the issuing commissary, required by the 14th article of the said regulations :

That it never was the intention of Congress to make any purchaser of live stock, or officer of the department, liable for unavoidable loss of all or any part of such live stock, when such purchaser or officer shall make appear that proper care hath been taken to prevent such loss.

**Ordered**, That there be advanced to marquis Calmes, commander of the division of Virginia militia from Frederick county, 1000 dollars, for the use of the said division, the said M. Calmes to be accountable.

The committee on the treasury brought in a report ; Whereupon,

**Ordered**, That there be advanced to captain Weaver, appointed to conduct the prisoners of war to Virginia, 2000 dollars, for the use of the department under his command, and the support of the prisoners in the march ; and for which he shall be accountable.

Congress resumed the consideration of the report from the board of war ; Whereupon,

**Resolved**, That the baron de Kalb be at liberty to give up his commission of major-general, if the contingency mentioned in his letter of the 28th of last month should happen :

That the baron de Kalb's commission be dated the same day with that of the marquis de la Fayette, agreeable to the baron's request :

That a compliance with the 4th and 5th articles of baron de Kalb's letter would be improper at this time, as Congress have not made any provision for their own officers, with whom foreign officers of equal merit and service will always be considered on a footing.

**Resolved**, That the commissary-general of purchases employ a proper per-

son to receive all the wheat belonging to the United States in the several mills and store-houses in the neighborhood of York-Town, and have such parts as are good manufactured into flour and delivered to the commissary-general of issues; the bran and damaged wheat to be delivered to the commissary of forage.

*Resolved*, That major Henry Brockholst Livingston, aid-de-camp to major-general Schuyler, be promoted to the rank of a lieutenant-colonel, as a reward for his merit and services in the American army.

*Resolved*, That major Troup, aid-de-camp to major-general Gates, be presented with a commission of lieutenant-colonel, as a reward of his merited services in the American army.

*Resolved*, That the chevalier de Buisson shall have a commission as a major, and whenever he shall think proper to return to France, he shall, if not promoted before that time to a higher rank, receive a commission of a lieutenant-colonel.

*Resolved*, That it be referred to gen. Washington to make such provision for quartering the troops in the winter season, as he shall think proper.

*Resolved*, That a standing committee for Indian affairs be appointed, and that the petition of Abraham Nimham be referred to them:

That Monday next be assigned for appointing the said committee.

*Resolved*, That the governor and council of New-York, be desired to erect a monument, at continental expense, of the value of 500 dollars, to the memory of the late brigadier Herkemer, who commanded the militia of Tryon county, in the state of New-York, and was killed fighting gallantly in defence of the liberty of these states.

*Resolved*, That a letter be written to general Gates, informing him, that Congress highly approve of the prowess and behaviour of the troops under his command, in their late gallant repulse of the enemy under gen. Burgoyne.

*Resolved*, That the thanks of Congress be presented to gen. Stark of the New-Hampshire militia, and the officers and troops under his command, for their brave and successful attack upon, and signal victory over, the enemy in their lines at Bennington: and that brigadier Stark be appointed a brigadier-general in the army of the United States.

In passing the last clause, the yeas and nays were required and taken:

<i>New-Hampshire</i> , Mr. Folsom,	ay	ay	<i>Maryland</i> , Mr. Carroll,	ay	ay
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay		Chase,	ay	ay
J. Adams,	ay	ay	<i>Virginia</i> , Mr. Jones,	ay	ay
Lovell,	ay		R. H. Lee,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	ay	ay	<i>N. Carolina</i> , Mr. Penn.	ay	ay
Law,	ay				
Williams,	ay				
<i>New-York</i> , Mr. Duane,	ay				
Duer,	ay				
<i>Pennsylvania</i> , Mr. Roberdeau,	ay				

*Resolved*, That the thanks of to the officers and troops under rance which they have so consp Schuyler:

That col. Gansevoort be appo gallantly defended.

*Resolved*, That Congress hav lieutenant-colonel Willet, for a in his late successful sally on th the commissary-general of milit sword, and present the same t these United States.

*Resolved*, That the commiss tion of the board of war, log bar

already are, or hereafter may be, sent to the commonwealth of Virginia, at such place or places as the governor and council of that state shall approve; that, in the construction thereof, regard be had to the health and safe-keeping of the prisoners, and that a convenient space of ground, surrounding or adjoining thereto, be set apart for benefit of air, and so enclosed, as to prevent all intercourse with the inhabitants; that until such barracks be provided, the prisoners be sent to the county lieutenants of Frederick and Augusta counties, in Virginia, to be by them secured, at the continental expense, in such manner as shall be suitable for prisoners of war, and until the governor and council of Virginia shall take further order therein.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

MONDAY, *October 6, 1777.*

A letter, of the 3d, from general Washington, 20 miles from Philadelphia, enclosing a copy of a proclamation by sir William Howe, dated 28th Sept. a letter of the 29th Sept. from gen. Putnam, at Peek-Kill; and one, of the 5th inst, from chevalier de Preudhomme de Borre, were read:

*Ordered*, That the copy of the proclamation be referred to the committee of intelligence; and that they be directed to prepare an address to the inhabitants of Pennsylvania, and report the same to Congress.

*Ordered*, That a copy of the letter from general Putnam, be immediately transmitted to general Washington; and that he pursue such measures in consequence thereof, as he judges most conducive to the public safety, and that he inform gen. Gates of the steps he may think proper to be taken.

*Ordered*, That a copy of the said letter be sent to gen. Gates, and that he be directed to give such assistance for strengthening the defences of Hudson's river, as the circumstances of his own department may admit, of which he is to judge.

*Resolved*, That gen. Washington be directed, if the situation of his army will admit, to send one of the four engineers to do duty at Fort-Montgomery and the defences on Hudson's river.

*Ordered*, That the letter from the chevalier de Preudhomme de Borre, be referred to the board of war, and that they be directed to report thereon as soon as possible.

The board of war brought in a report: Whereupon,

*Resolved*, That two companies be raised on continental establishment for the purpose of guarding the stores at Carlisle; these companies to have no bounty, and to be inlisted for one year, unless sooner discharged by Congress, under an engagement from Congress that they shall not be removed from Carlisle, nor be ordered on any other service. That James Armstrong Wilson be appointed to one of the said companies, with the rank and pay of a major, and that Samuel Postlethwaite be appointed captain of the other company.

*Resolved*, That the commissaries-general of purchases and issues, and their deputies and assistants, have power and authority to impress and seize wagons, shallops, and proper store-houses, on extraordinary occasions, for the use of their departments; this authority to extend to the distance of 70 miles from head-quarters, and to be in force to the 1st of January next, and no longer; and that they respectively be directed not to contravene a former resolution of Congress, relative to wagons going with necessaries to the army; and, as far as circumstances will admit, that they exercise their authority on persons who have not taken the oath or affirmation of allegiance to the respective states, in compliance with the laws of such states.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be advanced to George Eichelberger, esq. deputy quarter-master general at Yorktown, 2500 dollars, on his application in behalf of the quarter-master general, for the use of that department, and for

which the quarter-master general is to be accountable; and that a copy of this order be sent to general Mifflin, quarter-master general.

*Ordered*, That there be paid to William C. Houston, or his order, 333 1-3 dollars, for his salary as deputy secretary of Congress, from the 1st April to 1st September last, being five months, at the rate of 800 dollars per ann.

*Resolved*, That the drawing of the United States' lottery be deferred to the 6th January next, on account of the unsettled state of the commonwealth of Pennsylvania, occasioned by the invasion of the enemy; and that the managers of the said lottery give notice thereof by advertisement in the newspapers of the several states.

#### FOUR O'CLOCK, P. M.

A letter, of the 5th, from general Mifflin, enclosing one of the 4th, from colonel Lutterloe, was read.

Congress proceeded to the election of a committee for Indian affairs; and, the ballots being taken, Mr. Duane, Mr. Walton, Mr. Burke, Mr. Jones and Mr. Law, were elected.

A petition, from Charles M'Davitt, Patrick Smith and others, was read:

*Ordered*, That it be referred to the commissioners of accounts for the northern department, and that they or any two of them enquire into the facts suggested by the petitioners, and also into the objections made by general Gates against allowing the claims of the petitioners, and make report thereof to Congress, delivering a copy of their report to general Gates.

*Ordered*, That the letter of the 19th June, and that of the 14th August, from governor Treutlan, be referred to the board of treasury.

*Ordered*, That to-morrow morning, at 11 o'clock, Congress take into consideration that part of the article of confederation which relates to the mode of voting in Congress.

*Resolved*, That so much of the resolution of the 23d March, 1776, as directs that the wages of seamen and mariners taken on board British merchant vessels, be paid and deducted out of the prize-money, be repealed and made null and void.

*Resolved*, That all masters, officers and mariners, and all subjects of the king of Great-Britain, taken on board any prize made by any continental vessel of war, be hereafter considered as prisoners of war, and treated as such, and that the seamen and mariners of such prize be confined in the gaols or some other secure place in the state to which the prize shall be carried; and it is recommended to the several states to consider and treat all captains, officers and mariners, and all subjects of the king of Great-Britain, taken on board any prize made by any vessel fitted out by, or carried into, any state by any privateer or letter of marque, as prisoners of war.

*Ordered*, That the commissary-general of prisoners be informed of this resolve; and that he be directed to appoint a deputy in each state.

*Resolved*, That it be recommended to the legislatures of the several states to pass laws, declaring, that any person, his aider or abettor, who shall wilfully and maliciously burn or destroy, or attempt or conspire to burn or destroy, any magazine of provisions, or of military or naval stores, belonging to the United States; or if any master, officer, seaman, mariner or other person entrusted with the navigation or care of any continental vessel, shall wilfully and maliciously burn or destroy, or attempt or conspire to burn or destroy, any such vessel, or shall wilfully betray or voluntarily yield or deliver, or attempt or conspire to betray, yield or deliver, any such vessel to the enemies of the United States, such person, his aider or abettor, on legal conviction thereof, shall suffer death without benefit of clergy.

A letter, of the 25th September, from brigadier-general Parsons, was read, recommending the Rev. Mr. Dwight to be appointed chaplain to his brigade; Whereupon,



*Resolved*, That the Rev. Mr. Dwight be appointed chaplain to brigadier-general Parsons' brigade.

*Ordered*, That the resolution of the 10th September, for paying the interest of money lent to the continent by bills of exchange on the commissioners at Paris, be without delay transmitted to the executive powers of the several states, with a request, that they will order the same to be published in their respective gazettes for six months, successively.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**TUESDAY, October 7, 1777.**

A letter, of this day, from Peter Tarlan, deputy quarter-master general for Georgia, was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That 390 dollars be advanced to R. Peters, esq. secretary of the board of war, for contingent expenses, and for which he is to be accountable.

A memorial, from Mons. le Brun, was read :

*Ordered*, That it be referred to the board of war.

According to the order of the day, Congress took into consideration that part of the articles of confederation relative to the mode of voting in Congress ; and after debate, the farther consideration thereof was postponed to the afternoon.

*Ordered*, That 20,000 dollars be advanced and charged to the committee of commerce, by a draught on the commissioner of the loan-office in the state of Massachusetts-Bay, to be paid to Mr. John Bradford, agent for the committee, he to be accountable to the committee.

**FOUR O'CLOCK, P. M.**

Congress resumed the consideration of the articles of confederation relative to the mode of voting in Congress ; Whereupon, it was moved,

"That in determining questions, Rhode-Island, Delaware and Georgia shall have one vote, and every other state shall have one vote for every 50,000 white inhabitants therein, taken and transmitted according to the directions of the 9th article ; and when the white inhabitants of Rhode-Island, Delaware and Georgia shall exceed 50,000, the number of votes to be given by such state shall be increased in the proportion of one vote for every 50,000 such inhabitants, that an equality in this national assembly may be preserved as nearly as possible, and that those who are bound by measures and are to pay taxes demanded by an assembly, the members of which are elected not by all the people, but by those of a particular district, may have the same proportionable number of votes as they would have if they were personally present. If, in process of time, the people shall so multiply as that the Congress, consisting of one delegate for every 50,000 white inhabitants, would be too numerous, the proportions shall be again adjusted, wherein the same rule of equality in the representation shall be observed ;"

<i>New-Hampshire</i> , Mr. Folsom,	no	no	<i>Maryland</i> ,	Mr. Chase,	no	
<i>Massa'etts-Bay</i> Mr. S. Adams,	no			Carroll,	no	no
	J. Adams,	no		Smith,	no	
	Gerry,	no	<i>Virginia</i> ,	Mr. Harrison,	ay	
<i>Rhode-Island</i> , Mr. Marchant,	no	no		F. L. Lee,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	no			Jones,	ay	
	Law,	no		R. H. Lee,	ay	
	Williams,	no	<i>N.-Carolina</i> ,	Mr. Penn,	ay	div.
<i>New-York</i> , Mr. Duane	no	no		Harnett,	no	
	Duer,	no	<i>S.-Carolina</i> ,	Mr. Middleton	no	
<i>New-Jersey</i> , Mr. Witherspoon,	no	no		Heyward,	no	no
<i>Pennsylvania</i> , Mr. Roberdeau,	ay	ay		Laurens,	no	
			<i>Georgia</i> ,	Mr. Walton,	no	no
				Brownson,	no	

So it passed in the negative.

It was then moved, "That each state shall have a right to send one delegate to Congress for every 50,000 of its inhabitants, and in determining questions in Congress each delegate shall have one vote;"

<i>New-Hampshire</i> , Mr. Folsom,	no	} no	<i>Maryland</i> ,	Mr. Chase,	no	
<i>Massa'etts-Bay</i> , Mr. S. Adams,	no			Carroll,	no	
	J. Adams,	ay		Smith,	no	
	Gerry,	no				
<i>Rhode-Island</i> , Mr. Marchant,	no	} no	<i>Virginia</i> ,	Mr. Harrison,	ay	
<i>Connecticut</i> ,	Mr. Dyer,	no		Jones,	ay	
	Law,	no		F. L. Lee,	ay	
	Williams,	no		H. H. Lee,	ay	
<i>New-York</i> ,	Mr. Duane,	no				
	Duer,	no	<i>N.-Carolina</i> ,	Mr. Penn,	ay	
<i>New-Jersey</i> ,	Mr. Witherspoon,	no		Harnett,	no	
<i>Pennsylvania</i> ,	Mr. Roberdeau,	no	<i>S.-Carolina</i> ,	Mr. Middleton,	ay	
				Heyward,	no	
				Laurens,	no	
			<i>Georgia</i> ,	Mr. Walton,	no	
				Brownson,	no	

So it passed in the negative.

It was then moved, "That the quantum of representation for each state shall be computed by numbers proportioned according to its contribution of money or tax levied, agreeable to this confederation, and paid into the public treasury towards the annual expenses necessary for the support of the union;"

<i>New-Hampshire</i> , Mr. Folsom,	no	} no	<i>Maryland</i> ,	Mr. Chase,	no	
<i>Massa'etts-Bay</i> , Mr. S. Adams,	no			Carroll,	no	
	J. Adams,	ay		Smith,	no	
	Gerry,	no				
<i>Rhode-Island</i> , Mr. Marchant,	no	} no	<i>Virginia</i> ,	Mr. Harrison,	ay	
<i>Connecticut</i> ,	Mr. Dyer,	no		Jones,	ay	
	Law,	no		F. L. Lee,	ay	
	Williams,	no		H. H. Lee,	ay	
<i>New-York</i> ,	Mr. Duane,	no				
	Duer,	no	<i>N.-Carolina</i> ,	Mr. Penn,	no	
<i>New-Jersey</i> ,	Mr. Witherspoon,	no		Harnett,	no	
<i>Pennsylvania</i> ,	Mr. Morris,	no	<i>S.-Carolina</i> ,	Mr. Middleton,	ay	
	Roberdeau,	no		Heyward,	no	
				Laurens,	no	
			<i>Georgia</i> ,	Mr. Walton,	no	

So it passed in the negative.

The question put on the article as

<i>New-Hampshire</i> , Mr. Folsom,	ay	} ay
<i>Massa'etts-Bay</i> , Mr. S. Adams,	ay	
	J. Adams,	no
	Gerry,	ay
<i>Rhode-Island</i> , Mr. Marchant,	ay	} ay
<i>Connecticut</i> ,	Mr. Dyer,	ay
	Law,	ay
	Williams,	ay
<i>New-York</i> ,	Mr. Duane,	ay
	Duer,	ay
<i>New-Jersey</i> ,	Mr. Witherspoon,	ay
<i>Pennsylvania</i> ,	Mr. Morris,	ay
	Roberdeau,	ay

So it was resolved, That in determining questions in Congress each delegate shall have one vote.

The several matters to this day resolved.  
Adjourned to ten o'clock to-morrow.

### WEDNESDAY

A letter, of the 5th, from general Redick, were read :

**Ordered,** That the petition be referred to the board of war.

Whereas, the fourth Georgia battalion of continental troops, commanded by col. John White, is about to march from the state of Pennsylvania to its station in the state of Georgia; and, whereas, it may be necessary for the good order of the said battalion that general courts-martial may be held to try and punish offenders for breach of the articles of war on the march of the said battalion; and whereas, there is no general officer in the service of the United States stationed on or near the route of its march, without whose authority, according to the articles of war, no general court-martial can be held for the trial and punishment of such offenders:

**Resolved,** therefore, That the said colonel John White be empowered, at any time in the course of his said march, to order a general court-martial to consist of his own officers, if none others of the continental army can be conveniently summoned, and to try any non-commissioned officer and soldier belonging to the said battalion, who shall be charged with breaking any of the articles of war; and to confirm the sentence of any such court-martial, to discharge the said court-martial, or to confirm any such sentence, and afterwards to remit the punishment that shall be so sentenced, as he shall think proper; provided that the powers hereby given shall cease and determine so soon as the said battalion shall arrive at its station in Georgia.

A motion was made, to prevent an intercourse between the towns in the possession of the enemy and the inhabitants of the country;

**Ordered,** That it be referred to a committee of three:

The members chosen, Mr. R. H. Lee, Mr. J. Adams and Mr. Chase.

FOUR O'CLOCK, P. M.

The committee to whom was referred the motion for preventing an intercourse between the towns in the possession of the enemy and the inhabitants of the country, brought in a resolution for that purpose; which was agreed to as follows:

Whereas, it is of essential consequence to the general welfare that the most effectual measures should be forthwith pursued for cutting off all communication of supplies, or intelligence to the enemy's army now in, and near the city of Philadelphia; and whereas, it has been found, by the experience of all states, that, in times of invasion, the process of the municipal law is too feeble and dilatory to bring to a condign and exemplary punishment persons guilty of such traitorous practices:

**Resolved,** That any person, being an inhabitant of any of these states, who shall act as a guide or pilot by land or water for the enemy, or shall give or send intelligence to them, or in any manner furnish them with supplies of provisions, money, clothing, arms, forage, fuel, or any kind of stores, be considered and treated as an enemy and traitor to these United States; and that general Washington be empowered to order such person taken within thirty miles of any city, town or place in the states of Pennsylvania, Jersey or Delaware, which is, or may be in the possession of any of the enemy's forces, to be tried by a court-martial, and such court-martial are hereby authorized to sentence any such persons convicted before them of any of the offences aforesaid, to suffer death or such other punishment as to them shall seem meet.

This resolve to remain in force until the first day of January next, unless sooner revoked by Congress.

And, whereas, it has been represented to Congress, that many evil disposed persons, enemies to these United States, make a practice of passing to and from the enemy's quarters, propagating false intelligence, thereby to dispirit the people and aid the cause of our enemies,

**Resolved,** That it be recommended to all magistrates and officers, civil

and military, and to all the good people of these states, to be vigilant in apprehending, securing and bringing to condign punishment all such offenders, in order that a speedy and effectual stop may be put to such a pernicious practice.

*Resolved*, unanimously, That the thanks of Congress be given to general Washington, for his wise and well concerted attack upon the enemy's army near Germantown, on the 4th instant, and to the officers and soldiers of the army, for their brave exertions on that occasion; Congress being well satisfied that the best designs and boldest efforts may sometimes fail by unforeseen incidents, trusting that, on future occasions, the valour and virtue of the army will, by the blessing of Heaven, be crowned with complete and deserved success.

*Resolved*, That Mr. Heyward and Mr. Laurens be added to the committee appointed to carry into execution the resolution of Congress, ordering a medal to be struck and presented to general Washington.

*Resolved*, That to-morrow Congress take into consideration that part of the articles of confederation that relates to taxation.

A letter, of the 27th September, from gen. Schuyler, at Albany, was read.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer, in favor of William Hornby, for 20,000 dollars, in discharge of a bill drawn on the president of Congress by the president of Georgia, for the use of the continental troops in that state; the said sum to be considered as part of the 300,000 dollars appropriated to supply the military chest in that state, and the said state to be accountable:

That another warrant be drawn on the treasurer in favor of W. Hornby, for 500 dollars, to defray his expenses in coming and returning from Georgia to York-town, in Pennsylvania, agreeable to the request of the president of Georgia, the said sum to be considered as part of the 400,000 dollars appropriated to reimburse the state of Georgia its expenditures for the continent, the said state to be accountable.

*Ordered*, That 5000 dollars be advanced to Peter Tarlan, deputy quarter-master general to the troops in Georgia, he to be accountable; and that the same be considered as part of the 300,000 dollars appropriated for the use of the continental troops in that state.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, October 9, 1777.

*Ordered*, That so much of gen. Schuyler's letter of the 27th of February, as relates to Indian affairs, be referred to the committee on Indian affairs, and that so much of the said letter as relates to his request of being furnished with a copy of the accusations against him, be referred to the committee appointed to collect evidence and facts relative to the evacuation of Ticonderoga and Mount-Independence.

A petition from captain Silas Talbut, was read:

*Ordered*, That it be referred to the board of war.

A memorial from George M'Intosh was read; Whereupon,

A motion was made, that it be resolved, that Congress have no power to try and determine the case of George M'Intosh, he being a citizen of Georgia; on which the previous question was moved, whether that question be now put?

*N.-Hampshire*, Mr. Folsom,  
*Massa'tte-Bay*, Mr. S. Adams,  
J. Adams,  
Gerry,  
Lovell,

no } no  
no }  
no } no  
no }  
ay }

*Rhode-Island*, Mr. Marchant,  
*Connecticut*, Mr. Dyer,  
Law,  
Williams,

no }  
no }  
no }  
no }

<i>New-York,</i>	Mr. Duane.	ay	} <i>div.</i>	<i>N.-Carolina,</i>	Mr. Penn,	ay	} <i>div.</i>
	Duer,	no			Harnett,	no	
<i>New-Jersey,</i>	Mr. Witherspoon,	no	} <i>no</i>	<i>S.-Carolina,</i>	Mr. Middleton,	ay	} <i>no</i>
<i>Pennsylvania,</i>	Mr. Roberdeau,	no			Heyward,	no	
<i>Maryland,</i>	Mr. Chase,	ay	} <i>ay</i>	<i>Georgia,</i>	Mr. Brownson,	no	} <i>no</i>
	Carroll,	ay			Walton,	no	
<i>Virginia, -</i>	Mr. Harrison,	ay	} <i>ay</i>				
	Jones,	ay					
	F. L. Lee,	ay					
	R. H. Lee,	ay					

So it passed in the negative.

Upon considering the papers received from the president of the state of Georgia, respecting George M'Intosh, taken into custody in consequence of information transmitted, and a request made by Congress to the government of the said state; and the memorial of the said George M'Intosh, praying Congress to take his case into consideration:

*Resolved*, That a committee of three be appointed to examine into the said papers and memorial, and report their opinion, whether there is sufficient cause before Congress for the detention of the said George M'Intosh, in order that, if such cause appear, he may be sent a prisoner to the state of Georgia, of which he is a citizen, for his trial, or otherwise may be discharged:

The members chosen, Mr. J. Adams, Mr. Duane, and Mr. Williams.

#### FOUR O'CLOCK, P. M.

The article relative to taxation in the confederation reported by the committee of the whole Congress, was read as follows:

"All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes in each state; a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the assembly of the United States. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states, within the time agreed upon by the United States assembled."

After debate thereon,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, October 10, 1777.

A letter, of the 27th September, from major-general Sullivan, enclosing a bundle of papers, was read.

A memorial, from George Ewing, commissary of hides, was read:

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That 12,000 dollars be advanced to the marine committee, for the public service in Baltimore, in the state of Maryland, the said committee to be accountable.

That 2000 dollars be advanced to the said marine committee, to discharge bills drawn upon them, the said committee to be accountable.

The committee to whom were referred the papers received from the president of the state of Georgia, respecting George M'Intosh, taken into custody in consequence of information transmitted, and a request made by Congress to the government of the state of Georgia, and the memorial of the said George M'Intosh, praying Congress to take his case into consideration, re-



port, "That they have examined into the said papers and memorial, and are of opinion, that there is not sufficient cause before Congress for the detention of the said George M'Intosh;" Whereupon,

*Resolved*, That the said George M'Intosh be discharged.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be advanced to major James Armstrong Wilson, appointed to command two companies to be raised in the state of Pennsylvania for the purpose of guarding the continental stores at Carlisle, 1000 dollars, for the use of the said companies, he to be accountable.

*Resolved*, That John Montgomery, esq. at Carlisle, be, and he is hereby appointed and authorized, to muster the two companies under the command of major J. A. Wilson, for the discharge of which duty a reasonable allowance shall be made to him.

*Ordered*, That a warrant issue on the auditor-general, in favor of the board of war, for 300,000 dollars, to be transmitted by them to the deputy paymaster general of the northern department, for the use of the said department, and for which he is to be accountable:

That a warrant issue on the commissioner of the loan-office in the state of New-York, in favor of the commissary-general of purchases, to be transmitted to Peter Colt, esq. deputy commissary-general of purchases in the eastern department, for 200,000 dollars, for the use of the said department, for which the commissary-general is to be accountable.

*Ordered*, That there be paid to Benjamin Walker, or order, 500 dollars in the discharge of a bill, dated the 17th of July last, drawn by governor Treutlan, of the state of Georgia, on the continental treasurer, expressed to be for the expenses incurred in recruiting and mustering a company of light-horse for the said state; for which sum the said state is to be accountable; and the same is to be considered as part of the 300,000 dollars appropriated for supplying the military chest in the said state.

*Ordered*, That there be paid to Daniel Mallet, or order, 1000 dollars in discharge of a bill, dated 8th of February last, drawn in his favor by John Ashe, esq. public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for provisions furnished the continental troops raised in the said state; for which sum, the said state is to be accountable, and the same is to be considered as part of the 500,000 dollars heretofore appropriated for the use of that state.

That there be paid to Robert Ralston, or order, 250 dollars, in discharge of a bill, dated 10th May last, drawn by John Ashe, esq. public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for the use of that state, for which the state is to be accountable, and the same is to be considered as part of the 500,000 dollars appropriated for the use of that state.

*Resolved*, That 800 dollars be presented to Monsieur Preudhomme de Borre, to defray his expenses to Charleston, South-Carolina, and from thence to France.

*Resolved*, That 100 blank commissions for privateers, be signed and delivered by the president to the committee of commerce, to be by them transmitted to such of their agents and correspondents abroad as they may think proper to entrust therewith.

FOUR O'CLOCK, P. M.

A letter, of the 8th, from general Mifflin, was read, wherein he represents, that his health is so much impaired, and the probability of a recovery so distant, that he thinks it his duty to return to Congress their commissions to him of major-general and quarter-master general.

Congress being informed of great irregularity committed by the 4th Georgia battalion, commanded by colonel White, contrary to all order and disci-

pline, and to the great annoyance and injury of the good people of the country through which the said regiment hath passed :

*Resolved*, That colonel White be ordered immediately to join his regiment, and continue with it until the regiment shall arrive in Georgia : that he take the most effectual care to prevent future irregularities of any kind being committed by the said regiment on its march : and that his excellency the governor of Maryland, be requested to appoint proper persons to value the damages done by the said regiment since it entered the state of Maryland, and that the same be sent to the regimental pay-master, who is directed to deduct the amount from the pay of the said regiment, and pay the same to the order of governor Johnson, for the benefit of the sufferers.

*Ordered*, That the board of war prepare a resolution for preventing the inhabitants being plundered by troops in the pay of the continent.

The board of war brought in a report ; Whereupon,

*Resolved*, That captain Silas Talbut, of the state of Rhode-Island, be promoted to the rank, and have the pay of a major in the army of the United States, in consideration of his merit and services in a spirited attempt to set fire to one of the enemy's ships of war in the North-River last year ; and that he be recommended to gen. Washington for employment, agreeable to his rank.

The board of war brought in a report : Whereupon,

*Resolved*, That capt. Silas Talbut make an estimate of the expense and loss incurred by him in the attempt to destroy the said ship of war, to be laid before the treasury board for their consideration.

Congress resumed the consideration of the articles of confederation under debate yesterday ; and, after some time,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, October 11, 1777.

A letter, of the 6th, from gen. Putnam, at Peek-Kill, and one, of the 4th, from Peter Colt, were read.

*Resolved*, That a committee of three be appointed to enquire of the commissary-general of purchases, the measures adopted by him for obtaining the necessary supplies of provisions for the ensuing year, and report thereon to Congress :

The members chosen, Mr. Gerry, Mr. Roberdeau, and Mr. Law.

The board of war brought in a report : Whereupon,

*Resolved*, That the commissary-general of issues, his deputies and assistants, and all persons employed under him or them, deliver over, on demand, to the commissary of hides, all hides, tallow, feet, and offal of all cattle killed for the use of the army, taking a receipt for the same, any order or direction of any person or persons, to the contrary notwithstanding :

That the said commissary of hides be supplied with money for carrying on the business of his department, from time to time, upon his application to Congress, and that he shall settle his accounts once a year, or oftener, if required, with the treasury board :

That he or his deputies, at any principal department or post, be authorized to hire or impress one or more wagons or carriages for the use of his department, as occasion may require, which shall not be subject to be impressed for any other service by any officer of the army, unless by special direction of the commander in chief for the time being ; and, if any officer shall (except as before excepted) on any pretence whatsoever, impress, without his consent, any wagon, cart, or carriage, in the service of the said commissary of hides, he shall immediately, on application to the command-

ing officer nearest the place where the transaction happens, be put under arrest, be liable to pay all loss the states sustain by such imprisonment, and suffer such other punishment as shall be deemed proper by a court-martial

That the commander in chief, and the commanding officer of any department post or detachment, be directed to supply the commissary-general of hides and his respective deputies with guards for their wagons, when the said commissary shall apply for the same, and they shall appear to be necessary:

That the said commissary of hides shall make a return, once in every three months, to the board of war, of his whole transactions, specifying the number of workmen employed, the quantities of hides on hand, the quantities exchanged for leather and shoes, what quantity is made up into shoes, and what otherwise disposed of; and to enable him to do this, his deputies and assistants, whose names, occupations and pay or wages he is also to return, shall make monthly returns to the said commissary of hides:

That the said commissary of hides shall receive and take care of the tallow, and all other useful offal of the cattle belonging to the United States, and see that the said tallow is properly rendered and made fit to be manufactured into candles and soap for the use of the army, and shall deliver the said tallow, so rendered, to the commissary general of purchases, or his order, taking receipts for the same, reserving so much of the said tallow, as may be necessary for the manufactory of the leather and the use of his own department:

That the commissary of hides have the appointment of all deputies and assistants to be employed under him, for whose conduct he shall be responsible, and have authority to displace them at pleasure.

The board of treasury brought in a report: Whereupon,

*Ordered*, That there be advanced to George Ewing, esq. commissary of hides, 8000 dollars, for the use of his department, and for which he is to be accountable.

Whereas, it is represented that Mons. du Condray had in his pocket-book, the day he was unfortunately drowned, the order of Congress of the 15th of September, for paying to him 1500 dollars for the use of the gentlemen who accompanied him from France, named in the said order, and that the said order has never been paid, but is lost.

*Ordered*, That the money mentioned in the said order be paid to Mons. le Brun, for the use of the gentlemen therein named; he to be accountable:

*Ordered*, That there be paid to Thomas Heyward, esq. one of the committee of foreign affairs, 29 84-90 dollars advanced by him to an express for bringing despatches to Congress.

*Ordered*, That there be paid to Silas T his account of expenses and losses, in command of a fire-ship in the North-River, at British ships of war in the said river.

A letter and memorial from Archibald prisoners, were read:

*Ordered*, That they be referred to the board of war.

A memorial from col. de la Balme, inspected by the board of war, was read, wherein he entreats Congress, and to order the payment of what is due to him.

*Resolved*, That the resignation of col. de la Balme, and the arrears due to him be paid.

*Ordered*, That the committee appoint a committee to the several states to procure an estimate of the quotas to be raised in each state for that business, and report on Tuesday next.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the article of confederation last under debate ; and, after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

MONDAY, October 13, 1777.

A letter, of the 7th, from general Washington, near Pennibaker's mill, with sundry papers enclosed ; another, of the 10th, from general Washington, 26 miles from Philadelphia, were read.

*Ordered*, That 300,000 dollars be paid to the board of war, to be by them sent, as speedily as possible, to the pay-master general, for the use of the army under the command of general Washington.

Another letter, of the 8th, from general Washington ; one, of the 4th, from gov. Livingston ; one, of the 5th, from gen. Gates, at Behnien's-Heights, enclosing sundry papers ; one, of the 6th, and one, of the 12th, from gen. Sullivan ; one, of the 1st, from John Smith, lieutenant of Frederick county, Virginia, with sundry papers enclosed, were read ; also, a remonstrance from Israel Pemberton, and others, and a memorial from chevalier du Portail, were read :

*Ordered*, That the letters from general Washington, governor Livingston, general Gates, and Mr. Smith, and the memorial from Israel Pemberton, and others, be referred to the board of war.

A letter, of the 2d, from colonel Nicola, was read :

*Ordered*, That it be referred to the board of war.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the commissioned and non-commissioned officers, who accompanied Mons. du Coudray from France, have the ranks proposed for them in France, together with the pay and emoluments of officers of equal ranks in the service of the United States.

That in case the said officers shall decline accepting the above proposals, it be referred to the board of treasury to consider what gratifications shall be given to the said officers, respectively, in compensation for their loss of time and expense, and to defray the charges of their voyage to France.

That it be referred to the board of treasury to settle the accounts of the late Mons. du Coudray.

*Ordered*, That the board of war apply to the executive power of Pennsylvania, and request their co-operation, to supply the army with shoes, stockings and other necessaries, and that the board maintain a constant correspondence with the executive powers of the said state, and with general Washington, for the purpose above mentioned, and for the service of the army in general.

FOUR O'CLOCK. P. M.

*Resolved*, That it would be inconsistent with the public safety to permit Dr. John Connolly, at present a prisoner on parole, to remain any longer at large, and, therefore, that the board of war be directed to order him into safe custody immediately, taking care to seize such of his papers as may be of a political nature.

Whereas, a number of the members appointed to hear and determine appeals are absent ;

*Resolved*, That a new committee, to consist of five members, be appointed, and that they or any three of them be empowered to hear and finally determine upon appeals brought to Congress :

The members chosen, Mr. J. Adams, Mr. Jones, Mr. Law, Mr. Marchant and Mr. Laurens,

Congress resumed the consideration of the article of confederation under debate; Whereupon, it was moved,

That the proportion of the public expense, incurred by the United States for their common defence and general welfare, to be paid by each state into the treasury, be ascertained by the value of all property except household goods and wearing apparel within each state, to be ascertained agreeable to the directions of Congress: Question put, passed in the negative.

Another amendment was moved; and, after debate, the determination thereof, at the request of a state, was postponed till to-morrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

## TUESDAY, October 14, 1777.

A letter, of the 13th, from colonel G. Morgan, with sundry papers and accounts enclosed, was read:

*Ordered*, That the same be referred to the board of treasury.

Congress resumed the consideration of the amendment moved yesterday, viz. "That the proportion of the public expense incurred by the United States for their common defence and general welfare, to be paid by each state into the treasury, be ascertained by the value of all land within each state granted to, or surveyed for any person, as such land, the buildings and improvements thereon shall be estimated, according to such mode as Congress shall, from time to time, direct and appoint;"

<i>New-Hampshire</i> , Mr. Folsom,	no	no	<i>Pennsylvania</i> , Mr. Morris,	ay	ay
<i>Massa'tts-Bay</i> , Mr. S. Adams,	no		Roberdeau,	no	ay
J. Adams,	no		<i>Maryland</i> , Mr. Chase,	ay	ay
Gerry,	no	no	Carroll,	ay	ay
Lovell,	no		Smith,	ay	ay
<i>Rhode-Island</i> , Mr. Marchant,	no	no	<i>Virginia</i> , Mr. Jones,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	no		F. L. Lee,	ay	ay
Law,	no	no	R. H. Lee,	ay	ay
Williams,	no		<i>N.-Carolina</i> , Mr. Penn,	ay	ay
<i>New-York</i> , Mr. Duane,	no	div.			
Duer,	ay				
<i>New-Jersey</i> , Mr. Witherspoon,	ay	ay			
Elmer	ay				

So it was resolved in the affirmative

A memorial from W. Buchanan, con

*Ordered*, That it be referred to the c

*Resolved*, That Mr. Folsom, Mr. P  
marine committee, in the room of the  
heretofore appointed on the said comm

Whereas, the British nation have rec  
in their courts of admiralty, as lawfu  
goes belonging to these states, which t  
the trust and confidence reposed in the  
officers of the British crown:

*Resolved*, therefore, That any vesse  
subject, not an inhabitant of Bermuda  
into any of the ports or harbors of any  
or mariners, shall be adjudged lawful  
in the same proportion as if taken by s

FOUR O'CLOCK

The committee on the treasury brot

*Ordered*, That a warrant issue on t



the state of Pennsylvania, for 10,000 dollars, in favor of William Heury, esq. appointed to purchase shoes and leather, and to superintend the reparation of continental arms, for the use of his department, and for which he is to be accountable.

**Ordered,** That there be paid to Robert Turner, or his order, 462½ dollars, in discharge of a bill drawn on the continental treasurer by John Ashe, esq. public treasurer of the state of North-Carolina, in his favor, dated 9th May, and expressed to be for the service of the United States; for which sum the said state is to be accountable, and the same is to be considered as part of the 500,000 dollars appropriated for that state.

Congress took into consideration that part of the articles of confederation relative to the manner of constituting the Congress of the United States :

On the question put,

**Resolved,** That no person shall be capable of being a delegate for more than three years in any term of six years.

It was then moved, " That no state shall be represented in Congress by less than two nor by more than seven members :

<i>New-Hampshire,</i> Mr. Folsom,	no	} no	<i>Pennsylvania,</i> Mr. Morris,	ay	} ay
<i>Massachusetts-Bay,</i> Mr. S. Adams,	ay		Roberdeau,	ay	
J. Adams,	no		Mr. Chase,	ay	
Gerry,	ay	} ay	Carroll,	ay	} ay
Lovell,	ay		Smith,	ay	
<i>Rhode-Island,</i> Mr. Marchant,	no	} no	<i>Virginia,</i> Mr. Jones,	ay	
<i>Connecticut,</i> Mr. Dyer,	ay		F. L. Lee,	ay	
Law,	ay		R. H. Lee,	ay	
Williams,	ay	} ay	<i>N.-Carolina,</i> Mr. Penn,	ay	
<i>New-York,</i> Mr. Duane,	ay		Burke,	ay	
Duer,	ay	} ay	Harnett,	ay	
<i>New-Jersey,</i> Mr. Witherspoon,	no		<i>S.-Carolina,</i> Mr. Middleton,	ay	
Elmer,	no	} no	Heyward,	ay	
			Laurens,	ay	} ay

So it passed in the affirmative.

A memorial from the chevalier Dorset, was read :

**Ordered,** That it be referred to the committee on foreign applications.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, October 15, 1777.

Mr. Harvie, a delegate from Virginia, attended and took his seat :

**Ordered,** That the committee of commerce take effectual measures to make as public as possible the resolutions passed yesterday, for making lawful prize British vessels or cargoes brought into any of the ports of the United States by the master or mariners.

A letter, of the 8th, from general Putnam, at Fishkill, was read :

**Ordered,** That it be referred to the committee of intelligence.

A motion was made for recruiting the army ;

**Ordered,** That it be referred to a committee of three :

The members chosen, Mr. Gerry, Mr. Duer and Mr. R. H. Lee.

**Ordered,** That the committee sit on this business this evening, and report to-morrow morning.

The committee to whom was referred the letter of William Buchanan, commissary-general of purchases, dated the 14th, brought in a report, which was taken into consideration : Whereupon,

**Resolved,** That a deputy commissary-general of purchases and a deputy commissary-general of issues be appointed for supplying the forts and posts on the western frontiers of Pennsylvania and Virginia, and that the limits of the district be assigned by the respective commissaries-general ;

That assistant purchasing commissaries be not allowed in the district aforesaid:

That the said deputy commissary-general of issues be directed to receive from col. G. Morgan, all the provisions in his possession belonging to the United States, who is directed to take receipts for the same, and deliver his accounts and vouchers to the board of treasury, in order for settlement, and for charging the said provisions to the commissary of issues.

*Ordered*, That to-morrow be assigned for appointing the deputy commissaries-general aforesaid.

Congress took into consideration the article of confederation relative to the powers of Congress; and, after debate,

*Resolved*, That the farther consideration thereof be postponed to the afternoon.

FOUR O'CLOCK, P. M.

*Ordered*, That Mr. Morris have leave of absence till Monday next.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be advanced to William Buchanan, esq. commissary-general of purchases, 100,000 dollars, for the use of his department, he to be accountable.

*Resolved*, That a committee of three be appointed to consider of and report a competent allowance to support the extraordinary expense of the president of Congress in the execution of his office:

The members chosen, Mr. Duane, Mr. Laurens, and Mr. Morris.

Congress resumed the consideration of the article of confederation under debate this morning; whereon it was moved,

That, in order to render the present union and confederacy firm and perpetual, it is essential that the limits of each respective territorial jurisdiction should be ascertained by the articles of confederation; and, therefore, it is recommended to the legislatures of every state to lay before Congress a description of the territorial lands of each of their respective states, and a summary of the grants, treaties, and proofs upon which they are claimed or established:

<i>New-Hampshire</i> , Mr. Folsom,	no	no	<i>Pennsylvania</i> , Mr. Morris,	ay	ay
<i>Massachusetts-Bay</i> Mr. S. Adams,	no		<i>Maryland</i> , Mr. Chase,	ay	
	J. Adams,	no		Carroll,	ay
	Gerry,	no		Gaith,	ay
	Lovell,	no			
<i>Rhode-Island</i> , Mr. Marchant,	no	no			
<i>Connecticut</i> , Mr. Dyer,	no				
	Law,	no			
	Williams,	ay			
<i>New-York</i> , Mr. Duane	ay	ay			
	Duer,	ay			
<i>New-Jersey</i> , Mr. Witherspoon,	no	no			
	Elmer,	no			

So it passed in the negative.

It was then moved "that the United have the sole and exclusive right and p boundary of such states as claim to the beyond the boundary so ascertained, for question put, passed in the negative.

It was then moved, "that the United have the sole and exclusive right and p boundary of such states as claim to the the land beyond the boundary, so ascertain states, from time to time, as the number thereof may require:"

<i>New-Hampshire,</i>	Mr. Folsom,	no	}	no	<i>Pennsylvania,</i>	Mr. Morris,	no	}	no
<i>Massa'sts-Bay,</i>	Mr. S. Adams,	no			<i>Maryland,</i>	Mr. Chase,	ay		
	J. Adams,	no	}	no		Carroll,	ay	}	ay
	Gerry,	no				Smith,	ay		
	Lovell,	no							
<i>Rhode-Island,</i>	Mr. Marchant,	no			}	no	<i>Virginia,</i>	Mr. Jones,	no
<i>Connecticut,</i>	Mr. Dyer,	no		F. L. Lee,			no		
	Law,	no	}	no		R. H. Lee,	no		
	Williams,	no				Harvie,	no		
<i>New-York</i>	Mr. Duane,	no	}	no	<i>N.-Carolina,</i>	Mr. Penn,	no	}	no
	Duer,	no				Harnett,	no		
<i>New-Jersey,</i>	Mr. Witherspoon,	no	}	div.	<i>S.-Carolina,</i>	Mr. Middleton,	no	}	no
	Elmer,	ay				Heyward,	no		
						Laurens,	no		

So it passed in the negative.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, October 16, 1777.

A letter, of the 13th, from general Washington, with the copy of the judgment of a court of enquiry, appointed to examine into the conduct of major-general Sullivan in the expedition commanded by him to Staten-Island in the month of August last, and sundry other papers; also, a letter of the 10th, from Jonathan Trumbull, jun. deputy pay-master general in the northern department, and one, of the 14th, from general Mifflin, at Reading, with sundry papers enclosed, were read.

*Ordered*, That 2249 dollars be paid to Messrs. Livingston & Turnbull, or order, in discharge of a bill, in their favor, drawn by J. Bradford, dated Boston, 27th August, 1777, on the marine committee, expressed to be for value received for the naval department in the service of the United States; the said J. Bradford to be accountable.

*Ordered*, That the letter from general Washington, with the papers enclosed, be referred to the board of war, and that the judgment of the court of enquiry be published.

*Ordered*, That the letter from general Mifflin and J. Trumbull, esq. be referred to the board of treasury.

*Ordered*, That a warrant for 200,000 dollars be drawn on the commissioner of the loan-office for the state of Massachusetts-Bay, in favor of Jonathan Trumbull, jun. deputy pay-master general, for the use of the army in the northern department, and for which the said J. Trumbull is to be accountable.

*Ordered*, That a copy of general Washington's letter of the 13th, and the returns relative to clothing wanted for the army, be sent by express to each of the states of Massachusetts-Bay, Connecticut, New-Jersey, Pennsylvania, Maryland and Virginia, and that they be respectively requested to send to the general, with all possible despatch, as many of the several articles mentioned in the return as can be collected and are not immediately wanted for their respective regiments which have not joined the army, and to order the officers in the clothier's department, in the states aforesaid, to use their utmost exertions in forwarding the clothing in their possession.

#### FOUR O'CLOCK, P. M.

Congress took into consideration a report of the committee on departments relative to the board of war and ordnance, which was debated by paragraphs:

In debating the 6th paragraph, it was moved, after records, to add "and papers," and after board, to add "except the returns of the army, military-stores or provisions:" in lieu of this, it was moved only to add these words, "and to take copies thereof, excepting copies of returns of the armies, pro-



countable ; the said several sums amounting to 352,000 dollars, for which the said quarter-master general has made application by letter to Congress, dated the 14th instant.

*Resolved*, That Congress highly approve of the brave and spirited conduct of commodore Hazlewood, and the other officers and men concerned in the defence of the river Delaware, and of their undaunted perseverance and resolution to maintain that pass to the city of Philadelphia to the utmost extremity.

*Resolved*, That four members be added to the board of war :

The members chosen, Mr. Harvie, Mr. Witherspoon, Mr. Williams, and Mr. Jones.

A letter, of this day, from Joseph Pennel, was read :

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred a motion for recruiting the army, brought in a report, which was taken into consideration : Whereupon, Congress came to the following resolutions :

Whereas, the deficiency of the several battalions, now in the service, has, in the present campaign, been attended with manifest disadvantages to the United States ; and, whereas, the divided state of the enemy's troops, their reduced number, and distance from their ships of war, afford the most favorable opportunities for attacking and subduing them before reinforcements can be sent to their aid ; which salutary purpose may, under Providence, be obtained by the vigorous exertions of the several states for speedily filling their several battalions :

*Resolved*, That it be earnestly recommended to the said states, to use their utmost endeavors for immediately completing their several quotas, and to address their inhabitants on the advantages that will result therefrom :

That to the premium of 5 dollars offered by a resolution of Congress of the 31st of July last, for apprehending and securing deserters from the continental army, an addition be made of 5 dollars for each deserter so apprehended and secured, and 12-90 of a dollar for each mile between the place in which he may be taken and that to which he may be conveyed :

That the premium and other expenses for apprehending deserters be stopped out of the pay which may be already due to such deserters respectively, of them or that shall become due to such as may receive a pardon :

That it be recommended to the legislatures of the several states to provide by law for more effectually detecting and punishing any person who shall knowingly harbor, conceal or assist any deserter from the land or sea-service of these states, or who shall, knowingly, detain, buy, exchange or receive any horse, arms, accoutrements, or clothes belonging to the United States, from any soldier, trooper, mariner, deserter, or any other person ; and that the penalties for such offences be exemplary, and the mode of recovery easy and expeditious :

That copies of the above resolves, with duplicates of the resolution of Congress of the 31st of July last, be sent to the respective states, and that they be desired to publish such parts thereof as they shall judge necessary :

That general Washington be directed, forthwith, to order one or more of his officers, that are or may be appointed to receive recruits and deserters, agreeable to the resolution of the 31st of July last, to apply to the supreme executive authority of each respective state for the names of the recruiting officers and of the places of rendezvous, which the said executive authorities were requested to appoint by the resolution aforesaid ; and that the said executive authorities are requested to furnish such commissioned officer or officers with sufficient sums of money to pay the premiums, mileages, and subsistence of the recruits and deserters, which they may receive, agreeable to the said resolve ; to draw on Congress for such advances ; to call to



account for the same, the officer or officers, and arrest such as shall refuse to account; and the said officer and officers are respectively directed punctually to pay the premium for each recruit and deserter as aforesaid; to take receipts for the money paid, and to adjust their respective accounts with the supreme executive authority aforesaid before they leave the state, and constantly to publish the names of the places of their residence and rendezvous as aforesaid :

That general Washington be directed to publish a proclamation, offering pardon to such as have deserted from the continental army, and shall, on or before such day as he shall think proper to fix in his proclamation, return to their respective corps, or surrender themselves to the officers appointed to receive recruits and deserters in the respective states, or to any other continental commissioned officer.

Some packets from Martinique, directed to Willing, Morris, & Co. being brought into Congress while Mr. Morris was absent, and it being represented, that, from the information of the person who brought the packets, there was reason to believe they contained despatches for Congress, & some of its committees :

*Ordered*, That the covers be opened.

The committee on the post-office brought in a report.

FOUR O'CLOCK, A. M.

Congress took into consideration the report of the committee on the post-office ; Whereupon,

*Resolved*, That the post-master general be authorized, during the present exigence, to appoint two additional surveyors of the post-office, and that all the surveyors be allowed 6 dollars a day each, in full consideration of travelling expenses, and all other allowances :

That the tour of the whole be as follows : one from Casco-Bay to Philadelphia, or, during the enemy's being in possession of that city, to Lancaster; one from Philadelphia or Lancaster, to Edenton, in North-Carolina, and the third from Edenton to Savannah, in Georgia :

That an inspector of dead letters be appointed, with a salary of 100 dollars a year : to examine all dead letters at the expiration of each quarter; to communicate to Congress such as contain inimical schemes or intelligence; to preserve carefully all money, loan-office certificates, lottery tickets, notes of hand, and other valuable papers enclosed in any of them, and be accountable for them ; and to keep a book containing an exact account of such papers, &c. so found, the date of the letters, from whence and by whom written, and to whom directed ; that he be under oath faithfully and impartially to discharge the duties of his office ; that he be enjoined to take no copy of any letter whatever, and not to divulge their contents to any but Congress, or those whom they may appoint for the purpose :

That the post go not out of his regular and usual course in order to pass by head-quarters, but that the post-masters on each side of head-quarters and nearest to them, have authority to hire expresses for the purpose of carrying letters for the army to the post-office there :

That the rate of postage be increased fifty per cent.

*Resolved*, That an allowance of 250 dollars be made to the present surveyor of the post-office, for past extraordinary services.

*Resolved*, That the committee of intelligence be authorized to take the most speedy and effectual measures for getting a printing press erected in York-town, for the purpose of conveying to the public, the intelligence that Congress may, from time to time, receive.

Congress resumed the consideration of the report on the war-office, which was agreed to as follows :

**Resolved**, That a board of war be established, to consist of three persons not members of Congress :

That there shall be a secretary to the said board, to be appointed by Congress :

That the board shall recommend, for the approbation and appointment of Congress, as many clerks as shall be necessary for assisting them in the execution of the business in their department :

That the power and duties of the said board be as follows : To obtain and keep an alphabetical and accurate register of the names of all officers in the land forces in the service of the United States, with their ranks and the dates of their commissions ; to fill up all military commissions which shall be signed by the president of Congress, and countersigned by the secretary of the war office, and to publish annually a register of all appointments ; to obtain and keep regular and exact accounts of the numbers and disposition of the forces of the United States ; to obtain and keep exact accounts of all the artillery, arms, ammunition, warlike stores, clothing, medicines, and provisions, belonging to the United States, and of the manner in which, and the places where the same shall, from time to time, be lodged and employed ; to take the immediate care and direction of all such artillery, arms, ammunition, and warlike stores, as shall not be employed in actual service ; to superintend the building and management of laboratories, arsenals, foundries, magazines, barracks, and other public buildings, the necessity of which they are, from time to time, to report to Congress ; to forward all despatches from Congress to the states and armies, and all moneys ordered by Congress to be transmitted for the public service, and to provide guards for the safe conveyance of such despatches and moneys, whenever it shall appear to the board to be necessary ; to superintend the raising, recruiting, and despatching, of the land forces in the service of the United States ; to take care and direction of prisoners of war ; to lay before Congress proper and seasonable estimates of such artillery, arms, ammunition, and warlike stores, clothing and medicines, as shall, from time to time, be wanted for the service of the United States ; to execute all such matters as they shall be directed ; to give their opinion on all such subjects as shall be referred to them by Congress ; and, in general, to superintend the several branches of the military department ; and if, at any time, they think a measure necessary for the public service, to which their powers are incompetent, they shall communicate the same to Congress, for their direction therein ; to keep fair entries of all the business transacted by them :

The said board shall sit in the place where Congress shall be held, and no member of the board shall absent himself without leave of Congress :

All the proceedings of the board shall be inspected by Congress, or a committee by them appointed for that purpose, once a month, or oftener, as may be thought proper and convenient ; and every member of Congress may have free access to the records of the said board, and take copies thereof, excepting copies of returns of the armies, provisions, or military stores, which shall not be delivered to any member without the order of Congress :

**Resolved**, That all military and other officers attending upon or connected with the army of the United States, be, and they are hereby, required and enjoined to observe the directions of the said board, in making and transmitting proper returns, and such other matters as may tend to facilitate the business of the said board :

That it be recommended to each of the United States, to give the said board all necessary assistance in the execution of the business of their department.

**Resolved**, That the salary of each of the three gentlemen who shall conduct the business of the board of war, be 2000 dollars per annum.

**Ordered**, That to-morrow be assigned for electing commissioners to audit and settle the accounts of Georgia against the United States

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

SATURDAY, October 18, 1777.

A letter, of the 12th, from gen. Gates, at Saratoga, and sundry papers enclosed, were read :

*Ordered*, That they be referred to the committee of intelligence.

*Resolved*, That all letters, returns and despatches relative to the public affairs of these United States, in the department of the treasury board, the board of war, the marine committee, the committee of commerce, the committee of foreign affairs, and all other committees and departments, be, for the future, directed to Congress or the president; any resolution of Congress to the contrary notwithstanding.

The committee of commerce laid before Congress a letter from Mr. Bingham, at Martinique, containing a copy of sundry resolutions passed by the assembly of the state of Georgia, the 26th May last, and sundry other papers, which were read; Whereupon,

Congress, taking into consideration a resolve of the house of assembly of Georgia, of the 26th May last, purporting, "that captain de la Playne be empowered to engage two or three engineers of character, with some officers for the artillery service, and that there be delivered to him some blank continental commissions, which he may bestow on such officers as he may think proper for recruiting men, both soldiers and sailors, which business, if completed, the officers and men shall be received into the continental battalions and service of that state; and that he do also receive cadets according to the usual custom of the army."

*Resolved*, That Congress highly disapprove of continental commissions being sent abroad in the manner and for the use mentioned in the said resolve, as well as of the design to recruit soldiers for the continental service in foreign parts, without application to Congress, and permission from the princes and governments within whose dominions such recruits may be obtained.

*Ordered*, That this resolve be transmitted to the American commissioners at Paris, by the committee for foreign affairs :

That a copy thereof be sent to the state of Georgia.

*Ordered*, That the letters and papers be referred to the board of war.

A letter to the medical committee, from William Shippen. director-general, was read :

*Ordered*, That it be referred to the board of war.

The several matters to this day referred

Adjourned to ten o'clock on Monday.

MONDAY, October 19, 1777.

A letter, of the 16th, from gen. Washington, a letter of the 8th, and one of the 13th, from the 11th, from colonel David Mason, enclosures on the trial of John More, a deserter,

*Ordered*, That the judgment of the court of war, and the letter from colonel Mason

A letter, of the 16th, from the Rev. Mr. [unclear] read, wherein he declares his acceptance of

Congress proceeded to the election of middle department, and, the ballots being

The Rev. Mr. Elihu Spencer was elected

The board of war brought in a report;

*Resolved*, That the governor and council the artillery regiments in the service of 1

much in the late engagements, that there are not a sufficient number to do the duty of artillery-men in the army, and therefore that the government of that state be earnestly requested to order the companies of matrosses in the service of the state of Maryland to join the army immediately, and that the said companies shall be ordered to return whenever the government of that state shall require it.

*Resolved*, That the result of the court of enquiry into the expedition of Staten-Island, so honorable to the character of general Sullivan, is highly pleasing to Congress, and that the opinion of the said court be published in justification of the injured character of that officer.

*Resolved*, That brigadier-gen. R. Howe, and brigadier-gen. M'Dougal, be promoted to the rank of major-general in the army of the United States.

*Resolved*, That Mr. William Massey be appointed deputy muster-master general to the continental troops raised or to be raised in the state of South-Carolina and Georgia.

*Ordered*, That those parts of Mr. President Rutledge's letter of August the 8th, and the whole of the 11th of September, to the delegates of South-Carolina, relative to Indian affairs, be referred to the committee on Indian affairs:

That gen. R. Howe's letter of August the 29th last, relating to the general hospital in South-Carolina, be referred to the medical committee.

Congress taking into consideration gen. R. Howe's letter of the 4th of September, 1777, to the speaker and assembly of the state of Georgia, and another of the 28th of August to the president of Congress, in which he represents the danger of an Indian war, being provoked by the wantonness and indiscretion of several persons in that state;

*Resolved*, That it be earnestly recommended to the president and assembly of the state of Georgia, to use their utmost exertions to cultivate peace and harmony with the Indian nations; and to enable them to effect this salutary purpose, that they forthwith enact laws inflicting severe penalties on such of their inhabitants as may endeavor to provoke a war which may endanger the state of Georgia, and entail great injury and expense on the United States.

*Resolved*, That Samuel Allen M'Crosky and George Stevenson, jun. be appointed first lieutenants; Andrew Colhoon and John M'Curdy second lieutenants, and William Montgomery and David Holmes ensigns, in the two regular companies appointed to be raised on continental establishment, for the purpose of guarding the stores at Carlisle; and that commissions be filled up for them accordingly.

*Ordered*, That Mr. Heyward have leave of absence to convey his family to South-Carolina.

The committee on foreign affairs laid before Congress a letter of the 11th August from W. Lee, at Nantes, which was read:

*Ordered*, That it be referred to the committee of commerce.

FOUR O'CLOCK, P. M.

Adjourned to ten o'clock to-morrow.

TUESDAY, October 21, 1777.

A letter, of the 18th, from gen. Washington, and one, of the 16th, from gen. Putnam, at Fishkill, both enclosing a copy of a letter of the 15th from gov. Clinton, at Kingston, giving an account of a capitulation signed on the evening of the 14th, for the surrender of gen. Burgoyne, and his army; a letter, of the 17th, from gen. Sullivan, at Metuchin-Hills, with sundry papers enclosed; one, of the 19th, from gen. Mifflin, enclosing a letter from col. Lutterloe, giving an account of gen. Howe's retreat from Germantown; one, of the 14th, from gov. Trumbull, at Hartford; one, of the 9th, from

col. Mason, at Willimburgh; and a message from captain White-Eyes; were read.

*Ordered*, That the message from captain White-Eyes be referred to the committee on Indian affairs.

*Resolved*, That Jesse Brown, who hath been employed as an express by his excellency governor Trumbull to the different departments and to and from Congress, and who hath proved himself faithful and alert in that business, submit his account for past services to the commissioners of accounts for the state of Connecticut, and charge the same to the account of the United States; and that he be continued as an express rider in the continental service.

*Resolved*, That the commissioners of the United States in France and Spain, have full power to superintend and direct the several agents and factors of the said states, employed in the kingdoms aforesaid; to remove such as they shall judge disqualified for this office, and to appoint others in their room.

A motion being made for importing arms, ammunition, clothing, &c.

*Ordered*, That it be referred to the board of war.

The board of treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of the board of war, for 50,000 dollars, to be transmitted by them to Benjamin Harrison, jun. esq. deputy pay-master general in the southern department, who is to be accountable:

That a warrant issue on the treasurer in favor of colonel Jeremiah Dugan, to be paid to Mrs. Dugan, for the sum of 200 dollars, advanced on account of his pay as major commandant, he to be accountable:

That there be advanced to John Baynton, esq. deputy pay-master general at Pittsburgh, 10,000 dollars, for which he is to be accountable.

Congress resumed the consideration of the articles of confederation, as reported by the committee of the whole: in debating the sixth article, it was moved, that instead of "no state shall lay any imposts or duties which may interfere with any stipulations in treaties hereafter entered into by the United States assembled, with any king, prince or state," it should run thus, "no state shall lay any impost or duties upon goods, wares and merchandise, imported or exported by any foreign nation with whom the United States assembled shall enter into any commercial treaty, other than what shall be laid upon the inhabitants of such state; provided that any state may totally prohibit the exportation or importation of any particular species of goods, wares or merchandise; and provided also, that if any foreign nation shall not allow the same privileges, exemptions or advantages, to the people and vessels of any state trading in their ports, as to their own people and vessels, the said state may disallow the like privileges, exemptions and advantages to those foreigners:" after some debate thereon, the consideration thereof was postponed to the afternoon.

FOUR O'CLOCK, P. M.

The committee appointed to confer with the commissary-general of purchases, brought in a report:

*Ordered*, That the consideration thereof be postponed till to-morrow.

Congress resumed the consideration of the amendment moved this morning, and the question being put,

The states were equally divided.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

WEDNESDAY, October 22, 1777.

*Ordered*, That a warrant issue on the treasurer for 4000 dollars, in favour of George Ross, esq. and company, owners of the Mary Ann furnace.



in part payment of cannon ball made by them for the use of the navy, agreeable to a contract with the navy board for the middle department, which board is to be charged with this sum, and the said George Ross and company to be accountable to them for the same.

The board of war brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That the case of John More, a private in the 4th Virginia regiment, tried and condemned to be shot for desertion, together with the proceedings of the court-martial, be referred to general Washington for his determination thereupon.

A petition, from Daniel Shelly, a prisoner in the gaol of Carlisle, in the state of Pennsylvania, and a copy of his examination, were laid before Congress and read :

*Ordered*, That the same be referred to the executive council of Pennsylvania.

A letter from Daniel Clymer to Richard Bache, respecting the confinement of Mr. William Franklin, was laid before Congress and read :

*Ordered*, That it be referred to the board of war.

A petition and memorial of Cumberland Dugan, of Baltimore, was read :

*Ordered*, That it be referred to the marine committee.

Congress took into consideration the report of the committee appointed to confer with the commissary-general of purchases, on the measures to be adopted by him for obtaining the necessary supplies of provisions for the ensuing year, together with a proposed alteration in the ration ; Whereupon,

*Resolved*, That the commissary-general of purchases be authorized and empowered to apply to the governor and council of safety of Connecticut, or to the board of war of the Massachusetts-Bay, or to empower the deputy commissary-general of purchases for the eastern district, to import or contract with persons who shall import and supply, on reasonable terms, a sufficient quantity of salt, for the army of the United States, in the middle district ; that the masters of the vessels to be employed for this purpose, be severally directed to deliver their cargoes of salt at such ports in the middle or southern districts as the commissary-general shall think most convenient, and that he order cargoes of flour or grain, on the arrival of those vessels at the ports aforesaid, to be provided and shipped in them for the army in the eastern district :

And the said governor and council of safety and board of war are severally requested to assist the commissary in accomplishing these purposes, and to grant or procure permits for exporting cargoes to purchase the salt.

And, whereas, there is an immediate demand for the article aforesaid in the middle district :

*Resolved*, That the supreme executive authorities of the states of Massachusetts-Bay and Connecticut, be respectively requested to assist the commissary-general of purchases in procuring wagons or teams for removing 12,000 bushels of salt from the eastern to the middle district, that the said commissary be directed to employ the wagons or teams procured in the Massachusetts-Bay, to remove the salt from thence to Connecticut ; and those procured in the states last mentioned in removing the salt from thence to such places on the North-River as he shall judge most convenient ; and the said commissary-general is directed to procure wagons or teams in the middle district, and load them with flour, to be delivered at the North-River, and sent by the teams bringing the salt from Connecticut to the magazines of the army in that state ; and that the wagons or teams from the middle district be employed to bring from the North-River the salt to be deposited there as aforesaid :

That the commissary-general of issues be directed to apply to general Washington for a certificate of the provisions allowed for each ration drawn

by the army, previous to the appointment of himself to the office aforesaid, and to direct the several issuing commissaries under him to deliver provisions to the army agreeably to the said certificate, till the farther orders of Congress, any resolution of Congress to the contrary notwithstanding; and that the commissary-general of issues transmit to Congress by the earliest opportunity, a copy of the certificate which he shall receive from general Washington.

*Resolved*, That the alteration proposed by the commissary-general of purchases in the ration at present ordered by Congress to be issued to the army, be transmitted to general Washington, and that he be desired to communicate to Congress his sentiments on this subject as soon as possible.

*Ordered*, That the committee who brought in the foregoing report prepare a plan for establishing a board to superintend the departments of the commissaries and quarter-master-general.

FOUR O'CLOCK, P. M.

Whereas, reports injurious to the character of colonel George Morgan, agent for Indian affairs at Fort-Pitt, have prevailed, representing him as unfriendly to the cause of America:

*Resolved*, That a committee of three be appointed to enquire into the conduct of colonel Morgan; and that he be required forthwith to repair to Congress for that purpose; and that a proper person be appointed to perform the duties entrusted to colonel Morgan until the event of such enquiry:

The members chosen, Mr. R. H. Lee, Mr. Roberdeau and Mr. Lee.

*Ordered*, That to-morrow be assigned for appointing a proper person to perform the duties entrusted to colonel Morgan until the event of the enquiry ordered to be made into his conduct.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be advanced to lieutenant-colonel Levin Powell, for the use of part of the Virginia regiment commanded by colonel William Grayson, now on their march to join the main army, 400 dollars, the said colonel Grayson to be accountable:

That there be advanced to major James Armstrong Wilson, 520 dollars, to purchase blankets for the use of the two companies under his command, stationed at Carlisle, to guard the

The board of treasury report, "that best information they can obtain, that the commissioners of claims, has not removed from that private concerns of Fitzsimons, and vented his necessary attendance to the upon,

*Resolved*, That two commissioners of places of the gentlemen aforesaid:

*Ordered*, That to-morrow be assigned commissioners, and also a commissioner for a northern department, in the room of Mr

The several matters to this day referred  
Adjourned to ten o'clock to-morrow.

THURSDAY, Oc

Application being made on behalf of the rector of the hospital in the district of Queensbury, in pursuance of the orders, dated Albany, 31st of his accounts:

*Ordered*, That the settlement of his treasury.

Congress took into consideration a report of the committee on the 10th July last; Whereupon,

**Resolved**, That the navy-board for the eastern department be empowered to suspend any commander or other officer in the continental navy within their district, until the pleasure of Congress shall be known, giving immediate notice thereof to the marine committee, with the causes of such suspension.

The committee of commerce, to whom the petition and memorial of Cumberland Dugan was referred, brought in a report; Whereupon,

**Ordered**, That a warrant issue on the treasurer for 5000 dollars, in favor of the committee of commerce, to enable them to settle the claims of Cumberland Dugan, specified in his petition and memorial referred to them; they to be accountable.

Congress resumed the consideration of the articles of confederation.

A motion was made to strike out the word "hereafter," and to add to the paragraph under debate on Tuesday, these words, "in pursuance of any treaties already proposed by Congress to the courts of France or Spain;" and, on the question put, resolved in the affirmative.

On the paragraph restraining the several states from granting commissions to vessels of war, or letters of marque and reprisal, it was moved to add, "unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States, in Congress assembled, shall determine otherwise;" on the question put, resolved in the affirmative.

On the article respecting the powers of Congress, a motion was made, to add to the first paragraph, "provided that no members of Congress shall be appointed a judge of any of the said courts;" question put, resolved in the affirmative.

Another amendment was moved, after the word, "entering into treaties and alliances," to insert, "provided, that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever;"

After debate, the farther consideration thereof was postponed to the afternoon.

#### FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report: Whereupon,

**Ordered**, That a warrant issue on the treasurer in favor of Mrs. Fullerton for 160 dollars, being for the payment of her husband Humphrey Fullerton's draught, dated Long-Island, the 1st May last, on the pay-master of the flying-camp, for £ 60, on account of his pay as surgeon to col. Swope's Pennsylvania battalion of the flying-camp, he being taken prisoner at Fort-Washington, and yet remaining so; he to be accountable.

Congress resumed the consideration of the paragraph in the confederation, under debate this morning, which being divided, and the question being put on the first part, as far as the disjunctive "or;"

<i>New-Hampshire</i> , Mr. Folsom,	no	no	<i>Pennsylvania</i> , Mr. Morris,	ay	ay
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay		Roberdeau,	ay	ay
J. Adams,	ay	ay	Mr. Smith,	ay	*
Lovell,	ay		Mr. Jones,	ay	
<i>Rhode-Island</i> , Mr. Marchant,	no	no	R. H. Lee,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	no		F. L. Lee,	ay	
Law,	no	no	Harvie,	ay	
Williams,			Mr. Penn,	ay	ay
<i>New-York</i> , Mr. Duane,	ay	ay	Harnett,	ay	
Duer,	ay		Mr. Heyward,	ay	div.
<i>New-Jersey</i> , Mr. Witherspoon,	no	div.	Laurens,	no	
Elmer,	ay				

So it was resolved in the affirmative.

The question was then put on the second part and resolved in the affirmative.

*Resolved*, That the farther consideration of the article be postponed till to-morrow.

The marine committee brought in a report: Whereupon,

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the loan-office in the state of Massachusetts-Bay, for 50,000 dollars, in favor of the navy-board for the eastern department, for the service of the navy under their direction; they to be accountable:

That a warrant issue on Joseph Clark, commissioner of the continental loan-office, in the state of Rhode-Island, for 50,000 dollars, in favor of the navy-board for the eastern department, for the service of the navy under their direction; they to be accountable:

That a warrant issue on Nathaniel Appleton, esq. commissioner of the loan-office in the state of Massachusetts-Bay, for \$180½ dollars in favor of Isaac Smith, Ebenezer Storer, and William Phillips, esqrs. agents appointed by the marine committee, for settling the accounts of the prizes taken by the vessels fitted out by order of gen. Washington, to pay off a balance which the said agents certify to be due to capt. Winthrop Sargent on his account.

*Resolved*, That any two being a majority of the navy board, for the eastern department, in the absence of the other, be, and they are hereby empowered, to do and transact all and every matter and thing, which, by the constitution of the said board, all the members jointly were empowered to do.

*Resolved*, That the clerk of the navy board for the eastern department, instead of the salary heretofore ordered, be allowed 55 dollars a month, and that the said navy board be, and they are hereby empowered, to appoint another clerk, if they shall judge it absolutely necessary, and to allow him such salary as they shall judge adequate to his services, not exceeding 55 dollars a month.

The several matters to this day referred being postponed,  
Adjourned to ten o'clock to-morrow.

#### FRIDAY, October 24, 1777.

A letter, of the 21st, from gen. Washington, at White-Marsh, was read:

*Ordered*, That an extract thereof, so far as relates to the recruiting service and taking up deserters, be sent to the executive powers of each state.

A memorial from Jonathan Trumbull, jun. deputy pay-master general in the northern department, was read:

*Ordered*, That it be referred to the board of treasury.

A memorial, from. Mons. de Crenis, was read, praying to be appointed lieutenant-colonel of cavalry:

*Ordered*, That it be referred to the

Congress resumed the consideration of the powers of Congress, and the consideration thereof was postponed.

*Ordered*, That a warrant issue on Dr. William Shippen, director-general to the said Dr. Shippen, and for w to indemnify the treasurer for so n Shippen on account of the military l 15th October, 1777.

The president informed Congress mittee, he had, on the 7th January 1778, 3000 dollars, in favor of James Morri men who re-took the brig Lexington pay on account of wages due to the to be accountable; with an order t the public books, till the books of th money would be properly charged;

*Ordered*, That the warrant be entered and the money charged by the treasurer in the public books.

A letter, of the 19th, from brigadier-general Conway, was read.

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the article of confederation relative to the powers of Congress, and, after some time spent thereon,

Adjourned to ten o'clock to-morrow.

**SATURDAY, October 25, 1777.**

The committee on the treasury reported, that they have audited the accounts of Mr. President Hancock, for expenditures by him for the use of Congress, and there is due to him on balance of accounts, 1392 32-90 dollars; Whereupon,

*Ordered*, That the treasurer pay the said balance to the president on a copy of this report being presented to him, certified by the secretary of Congress.

The said committee brought in a farther report; Whereupon,

*Ordered*, That there be advanced to Simon Hancock, captain of a company in colonel Josias Clapham's battalion of Virginia militia, 50 dollars, the said colonel Clapham to be accountable:

That a warrant issue on John Gibson, esq. auditor-general, in favor of Archibald M'Donald, for the sum of 260 dollars, it being for the allowance due to himself, Allan, Reynold, Allan, jun. and Alexander M'Donald, and their three servants, prisoners from Tryon county, in the state of New-York, from the 27th August to 19th November, inclusive.

The committee on Indian affairs brought in a report; Whereupon,

*Resolved*, That the application of Abraham Nimham and his companions, in behalf of the Stockbridge Indians, to be employed in the service of the United States, be referred to major-general Gates, to whose army they are requested to repair.

*Ordered*, That 200 dollars be paid to the said Abraham Nimham, for the use of himself and his companion, and as an acknowledgment for their zeal in the cause of the United States.

A letter, from W. Stockton and others, prisoners in Carlisle gaol, and a letter, of the 22d, from the committee of Carlisle, with one enclosed from Dr. John Kearsly, were read, representing the uncomfortableness of the gaol, on account of the windows not being glazed; Whereupon,

*Resolved*, That the president write to the committee of Carlisle, and request them to apply to the commissioners of the county, and desire them to have the gaol made as comfortable as circumstances will admit, for the accommodation of prisoners.

Congress resumed the consideration of the article of confederation respecting the powers of Congress; Whereupon,

It was moved to strike out "coining money and regulating the value thereof," and insert, "regulating the alloy and value of coin struck by their own authority, or by that of the respective states:" and the question being put, resolved in the affirmative.

*Resolved*, That the farther consideration of the articles of confederation, be postponed to Monday next.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

**MONDAY, October 27, 1777.**

The committee appointed to consider the letter from the hon. Stephen Hopkins and the proceedings of the committees from New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut and New-York, and for other purposes mentioned in a resolution of Congress of the 10th September last, brought in a report, which was read:



*Ordered*, To lie on the table.

A letter, of the 24th, from general Washington, enclosing the copy of a letter of the 23d, from commodore Hazlewood; one, from Samuel Ward, and one, from Robert Ballard, both of the same date, at Read-Bank, were read:

*Ordered*, That the same be referred to the committee of intelligence.

Congress resumed the consideration of the article of confederation, respecting the powers of Congress; Whereupon, it was moved to strike out these words, "deciding all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundaries, jurisdictions, or any other cause whatever," and instead thereof to insert "the United States in Congress assembled, shall also be the last resort on appeal in all disputes and differences now subsisting, or that hereafter may arise, between two or more states concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following; whenever the legislative or executive authority, or lawful agent of any state in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but, if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning until the number shall be reduced to thirteen; and from that number not less than seven nor more than nine names, as Congress shall direct, shall in the presence of Congress be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges to hear and finally determine the controversy; so always as a major part of the judges who shall hear the cause shall agree in the determination:

And if either party shall neglect to attend, at the day appointed, without shewing reasons which Congress shall judge sufficient, or, being present, shall refuse to strike, the secretary of Congress shall do it in behalf of such party, and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall, in like manner, be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress and lodged among the acts of Congress, for the security of the parties concerned; provided that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the state where the cause shall be tried, well and truly to hear and determine the matter in question according to the best of his judgment, without favor, affection, or hope of reward; provided, also, that no state shall be deprived of territory for the benefit of the United States."

<i>N.-Hampshire</i> , Mr. Folsom,	no } no	<i>New-Jersey</i> , Mr. Witherspoon,	no } dir.
<i>Massa'tts-Bay</i> , Mr. S. Adams,	ay }	Elmer	ay }
J. Adams,	ay } ay	<i>Pennsylvania</i> , Mr. Roberdeau,	ay } ay
Gerry,	ay }	<i>Virginia</i> , Mr. Jones,	ay }
<i>Rhode-Island</i> , Mr. Marchant,	ay } ay	R. H. Lee,	ay }
<i>Connecticut</i> , Mr. Dyer,	no }	F. L. Lee,	ay }
Law,	no }	Harvie,	ay }
Williams,	ay }	<i>N.-Carolina</i> , Mr. Penn,	ay } ay
<i>New-York</i> , Mr. Duane,	ay } ay	Harnett,	ay }
Duer,	ay }	<i>S.-Carolina</i> , Mr. Heyward,	ay } dir.
		Laurens,	no }

So it was resolved in the affirmative.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the article in confederation last under debate.

A motion was made to strike out the words "not members of any of the states," and instead thereof to insert "not residing within the limits of any of the United States;" another motion was made to amend the clause so as to read thus, "managing all affairs relative to war and peace with all Indians not members of any particular state, and regulating the trade with such nations and tribes as are not resident within such limits wherein a particular state claims, and actually exercises jurisdiction:" after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

TUESDAY, *October 28, 1777.*

Congress resumed the consideration of the articles of confederation, and, after debating on the amendments moved yesterday, adjourned to four o'clock.

FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer, in favor of Robert Jewell, for maintaining prisoners in Philadelphia new gaol, from the 19th of August to the 24th of September, for the salary due to him and his two assistants for mending a pump, for candles, &c. 933 37-90 dollars.

A petition from Henry Watts, and a memorial from chevalier Dorset, were read:

*Ordered*, That the former be referred to the board of war, and the latter to the committee on foreign applications.

Congress resumed the consideration of the articles of confederation, and instead of the two amendments proposed, it was moved to add to the clause these words, "provided, that the legislative right of any state within its own limits be not infringed or violated;" and the question being put, resolved in the affirmative.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, *October 29, 1777.*

A petition from Mons. le Brun, was read, praying that the president would grant him a certificate to verify the death of the late Mons. Charles Tronson du Coudray, brigadier, colonel, and adjutant-general of artillery in France, born in Rheims, in the province of Champeigne, which happened the 15th day of September, 1777, and representing that such a certificate is necessary for his family, and that he would wish to have it triple, in order to send it to his brother by different ways:

*Ordered*, That the prayer of the petition be granted.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to: instead of "general officers" to read "all officers:" after "United States," to add "excepting regimental officers," "and commissioning all officers whatever."

Mr. President Hancock then took leave of Congress.

FOUR O'CLOCK, P. M.

*Resolved*, That the secretary officiate as president until a new choice is made.

On motion, *Ordered*, That the secretary wait on the president and request him to furnish the house with a copy of the speech with which he took leave of Congress.

Congress resumed the consideration of the articles of confederation, and after some time spent thereon,

Adjourned to ten o'clock to-morrow.

THURSDAY, *October 30, 1777.*

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That there be advanced to Stevens Thompson Mason, esq. deputy commissary for the prisoners of war in Virginia, 2000 dollars, for maintenance of the said prisoners, and for which he is to be accountable; and that a copy of this order, signed by the secretary, be a sufficient voucher to the treasurer to pay this sum.

The board of war brought in a report; Whereupon,

*Resolved*, That the government of the state of Connecticut be requested to permit the workmen at Salisbury iron-works to cast mortars for continental use of such calibres, and in such numbers, as shall be directed by brigadier-general Knox, and that he be informed of this resolution, and desired to write to governor Trumbull on the subject:

That a letter be written by the board of war to the government of the state of New-York, representing, in the strongest terms, the great want of lead, and the absolute necessity there is for providing seasonable resources of that article: that it be therefore earnestly recommended to the said government forthwith to take measures for having the lead-mines in that state worked; and that, in case a sufficient number of labourers cannot be procured for that purpose, the commissary-general of prisoners be directed to furnish a competent number of prisoners of war for that end.

*Resolved*, That William Feltman, second-lieutenant in captain Weaver's independent company, be advanced to the rank of first-lieutenant:

That ensign Bachinstone be promoted to the rank of second-lieutenant.

That Joseph Bank be appointed an ensign in the said company.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to, viz. strike out "council of state, &c." and read "The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress to be denominated a committee of the states, and to consist of one delegate from each state, and to appoint such other committees, &c."

In the next clause strike out "and a suitable person for a secretary," and read "to appoint one of their number to preside:"

To change the words "agree on and fix" for the word "ascertain," and to amend the clause to read thus, "to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses:"

In the clause for adjournment to add, "so that no period of adjournment be for a longer duration than the space of six months:"

In the clause for borrowing or emitting money to add, "transmit every half year to the respective states an account of the sums of money borrowed or emitted:"

To amend the clause for calling upon the states for their quota of troops so that each state may "clothe" as well as arm, &c. its quota of troops:

It was then moved after the words "unless nine states shall assent to the same," to insert "provided that the nine states so assenting shall comprehend a majority of the people of the United States, excluding negroes and Indians, for which purpose a true account of the number of free people of each state shall be triennially taken and transmitted to the assembly of the United States;"

<i>New-Hampshire</i> , Mr. Folsom,	no	} no	<i>Pennsylvania</i> , Mr. Roberdeau,	no	} no
<i>Massa'tts-Bay</i> , Mr. S. Adams,	ay	}	<i>Maryland</i> , Mr. Smith,	ay	}
J. Adams,	no		<i>Virginia</i> , Mr. Jones,	ay	
Gerry,	no		R. H. Lee,	ay	
Lovell,	no		F. L. Lee,	ay	
<i>Rhode-Island</i> , Mr. Marchant,	no	} no	Harvie,	ay	}
<i>Connecticut</i> , Mr. Dyer,	no	}	<i>N.-Carolina</i> , Mr. Penn,	no	
Law,	no		Harnett,	no	
Williams,	no		<i>S.-Carolina</i> , Mr. Heyward,	no	
<i>New-York</i> , Mr. Duane,	no	}	Laurens,	no	}
Duer,	no				
<i>New-Jersey</i> , Mr. Witherspoon,	no	}			}
Elmer,	no				

So it passed in the negative.

It was moved and agreed to amend the clause, "no person holding any office under the United States, for which he or another for his benefit receives any salary, fees or emolument of any kind, shall be capable of being a delegate," and read "no person being a delegate shall be capable of holding any office under the United States, for which he or any other for his benefit receives any salary, fees or emolument of any kind:"

On the clause for entering the yeas and nays it was moved, after the words, "on any question," to insert "except on a previous question," and instead of "when it is desired by any delegate," to read, "when it is desired by any state;" and the question being severally put, passed in the negative.

The question was then put to agree to the clause;

<i>N.-Hampshire</i> , Mr. Folsom,	ay	} ay	<i>New-Jersey</i> , Mr. Witherspoon,	ay	} ay
<i>Massa'tts-Bay</i> , Mr. S. Adams,	ay	}	Elmer,	ay	}
J. Adams,	ay		<i>Pennsylvania</i> , Mr. Roberdeau,	ay	
Gerry,	ay		<i>Maryland</i> , Mr. Smith,	ay	
Lovell,	ay		<i>Virginia</i> , Mr. Jones,	ay	
<i>Rhode-Island</i> , Mr. Marchant,	no	} no	R. H. Lee,	ay	}
<i>Connecticut</i> , Mr. Dyer,		}	F. L. Lee,	no	
Law,	ay		Harvie,	ay	
Williams,			<i>N.-Carolina</i> , Mr. Penn,	ay	
<i>New-York</i> , Mr. Duane,	ay	}	Harnett,	ay	}
Duer,	ay		<i>S.-Carolina</i> , Mr. Heyward	ay	
			Laurens,	no	} div.

So it was resolved in the affirmative.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, October 31, 1777.

A letter, of the 18th, from gen. Gates, with the copy of the convention of Saratoga, and another, of the 20th, enclosing the copy of a letter from him to major-general J. Vaughan, were read:

*Ordered*, That the letters from gen. Gates, with the papers enclosed, be referred to the board of war, and that the committee of intelligence publish the convention.

*Resolved*, That a committee of three be appointed to prepare a recommendation to the several states, to set apart a day for thanksgiving, for the signal success, lately obtained over the enemies of these United States:

The members chosen, Mr. S. Adams, Mr. R. H. Lee, and Mr. Roberdeau.

A letter from R. Towers, to Mr. Roberdeau, was laid before Congress, and read:

*Ordered*, That it be referred to the board of war.

*Ordered*, That col. Wilkinson, who brought the despatches from gen. Gates, be directed to attend Congress:

Col. Wilkinson attending, was admitted, and having informed Congress

that he had sundry papers to lay before Congress as soon as he could have time to digest and arrange them, and having answered sundry questions relative to the situation of our army, and that of the enemy, before, and at the time of, and since the convention, he withdrew.

*Ordered*, That an express be immediately despatched to gen. Washington, with a copy of gen. Gates's letter and the convention of Saratoga.

FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That there be paid to William Buchanan, esq. commissary-general of purchases, 100,000 dollars, for the use of his department, and for which he is to be accountable; and that a copy of this order, certified by the secretary and passed at the board of treasury, be a sufficient voucher for the payment of the said money.

The secretary laid before Congress a copy of the speech with which Mr. Hancock took leave of Congress, which was ordered to be entered on the journals, and is as follows:

"Gentlemen: Friday last completed two years and five months since you did me the honor of electing me to fill this chair. As I could never flatter myself your choice proceeded from any idea of my abilities, but rather from a partial opinion of my attachment to the liberties of America, I felt myself under the strongest obligations to discharge the duties of the office, and I accepted the appointment with the firmest resolution to go through the business annexed to it in the best manner I was able. Every argument conspired to make me exert myself, and I endeavored, by industry and attention, to make up for every other deficiency.

"As to my conduct, both in and out of Congress, in the execution of your business, it is improper for me to say any thing. You are the best judges. But I think I shall be forgiven if I say I have spared no pains, expense, or labor, to gratify your wishes, and to accomplish the views of Congress.

"My health being much impaired, I find some relaxation absolutely necessary, after such constant application; I must therefore request your indulgence for leave of absence for two months.

"But I cannot take my departure, gentlemen, without expressing my thanks for the civility and politeness I have experienced from you. It is impossible to mention this without a heartfelt pleasure.

"If, in the course of so long a period as I have had the honor to fill the chair, any expressions may have dropped from me that may have given the least offence to any member, it was not intentional, so I hope his candor will pass it over.

"May every happiness, gentlemen, attend you, both as members of the house and as individuals; and I pray heaven, that unanimity and perseverance may go hand in hand in this house; and that every thing which may tend to distract or divide your councils be forever banished."

It was then moved, "that the thanks of Congress be presented to John Hancock, esq. for the unremitted attention and steady impartiality which he has manifested in discharge of the various duties of his office, as president, since his election to the chair on the 24th day of May, 1775."

Previous to the determination of this motion, it was moved "to resolve as the opinion of Congress, that it is improper to thank any president for the discharge of the duties of that office;"

*New-Hampshire*, Mr. Folsom,  
*Massachusetts-Bay*, Mr. S. Adams,  
J. Adams,  
Gerry,  
Lovell,

ay } ay  
ay }  
ay } ay  
ay }  
ay }

*Rhode-Island*,  
*Connecticut*,

Mr. Marchant,  
Mr. Dyer,  
Law,  
Williams,

ay  
no  
no  
no



<i>New-York,</i>	Mr. Duane,	no	} no	<i>N.-Carolina,</i>	Mr. Penn,	no	} no
	Duer,	no			Harnett,	no	
<i>New-Jersey,</i>	Mr. Elmer,		} ay	<i>S.-Carolina,</i>	Mr. Heyward,	no	} div.
<i>Pennsylvania,</i>	Mr. Roberdeau,	ay			Laurens,	ay	
<i>Maryland,</i>	Mr. Smith,	no	} no				
<i>Virginia,</i>	Mr. Jones,	no					
	R. H. Lee,	no					
	F. L. Lee,	ay					
	Harvie,	no					

So the states were equally divided.

The question being put on the first motion ;

<i>New-Hampshire,</i>	Mr. Folsom,	no	} no	<i>New-Jersey,</i>	Mr. Elmer,	ay	} ay
<i>Massa'tts-Bay,</i>	Mr. S. Adams,	no		<i>Pennsylvania,</i>	Mr. Roberdeau,	no	
	J. Adams,	no	} no	<i>Maryland,</i>	Mr. Smith,	ay	} *
	Gerry,	no		<i>Virginia,</i>	Mr. Jones,	ay	
	Lovell,	no	} no		R. H. Lee,	no	} ay
<i>Rhode-Island,</i>	Mr. Marchant,	no			F. L. Lee,	ay	
<i>Connecticut,</i>	Mr. Dyer,	ay	} ay		Harvie,	ay	} ay
	Law,	ay		<i>N.-Carolina,</i>	Mr. Penn,	ay	
	Williams,	ay	} ay	<i>S.-Carolina,</i>	Mr. Heyward,	ay	} ay
<i>New-York,</i>	Mr. Duane,	ay			Laurens,	ay	
	Duer,	ay					

So it was resolved in the affirmative.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, November 1, 1777.

Mr. Clingan, a delegate from Pennsylvania, attended and took his seat.

Congress proceeded to the election of a president ; and, the ballots being taken,

The hon. Henry Laurens was elected.

The committee appointed to prepare a recommendation to the several states, to set apart a day of public thanksgiving, brought in a report ; which was taken into consideration, and agreed to as follows :

Forasmuch as it is the indispensable duty of all men to adore the superintending providence of Almighty God ; to acknowledge with gratitude their obligation to him for benefits received, and to implore such farther blessings as they stand in need of ; and it having pleased him in his abundant mercy not only to continue to us the innumerable bounties of his common providence, but also smile upon us in the prosecution of a just and necessary war, for the defence and establishment of our unalienable rights and liberties ; particularly in that he hath been pleased in so great a measure to prosper the means used for the support of our troops and to crown our arms with most signal success : It is therefore recommended to the legislative or executive powers of these United States, to set apart Thursday, the 18th day of December next, for solemn thanksgiving and praise ; that with one heart and one voice the good people may express the grateful feelings of their hearts, and consecrate themselves to the service of their divine benefactor ; and that together with their sincere acknowledgments and offerings, they may join the penitent confession of their manifold sins, whereby they had forfeited every favor, and their humble and earnest supplication that it may please God, through the merits of Jesus Christ, mercifully to forgive and blot them out of remembrance ; that it may please him graciously to afford his blessings on the governments of these states respectively, and prosper the public council of the whole ; to inspire our commanders both by land and sea, and all under them, with that wisdom and fortitude which may render them fit instruments, under the providence of Almighty God, to secure for these United States the greatest of all blessings, independence and peace ; that it may

please him to prosper the trade and manufactures of the people and the labor of the husbandman, that our land may yield its increase; to take schools and seminaries of education, so necessary for cultivating the principles of true liberty, virtue and piety, under his nurturing hand, and to prosper the means of religion for the promotion and enlargement of that kingdom which consisteth in righteousness, peace and joy in the Holy Ghost.

And it is further recommended, that servile labor, and such recreations, though at other times innocent, may be unbecoming the purpose of this appointment, be omitted on so solemn an occasion.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

#### MONDAY, November 3, 1777.

A letter, of the 24th of October, from R. Bache; one, of the 20th of the same month, from governor Trumbull, enclosing a resolution passed in the house of assembly of Connecticut, the 11th of the same month; one, of the 25th, from gen. Sullivan, with sundry papers enclosed, were read:

*Ordered*, That the president return an answer to major-general Sullivan, and enclose him a copy of the resolution passed the 20th of October last:

That the letter from governor Trumbull, with the papers enclosed, be referred to the committee appointed to confer with the commissary-general of purchases, and that they be directed to confer farther with him on the subject, and report this afternoon:

That the letter from Mr. Bache be referred to the board of treasury.

*Ordered*, That col. Wilkinson be admitted to lay before Congress this afternoon the papers relative to the affairs in the northern department.

#### FOUR O'CLOCK, P. M.

According to order, colonel Wilkinson attended and delivered a message from gen. Gates, in the following words:

"I have it in charge from major-general Gates to represent to the honorable the Congress, that lieutenant-general Burgoyne, at the time he capitulated, was strongly entrenched on a formidable post, with twelve days' provision; that the reduction of Fort-Mifflin, and the subsequent progress up the Hudson's river, was a reflection which left general Gates no alternative but to surrender to lieutenant-general Burgoyne, but in doing so, he was obliging to his proposals, hazarding a dishonour to his position for the security of our magazines, and the success of our conquests, and procured lieutenant-general Burgoyne's terms. Had our attack been carried as proposed, a dismemberment of our army must have incapacitated it from further action. I am, therefore, glad to see the spirits, major-gen. Gates now waits the pleasure of the Congress."

Col. Wilkinson then laid before Congress the following papers, which were read, viz.

1. A message from lieutenant-general Gates's answer, of the 13th of October;
2. A message from lieutenant-general Gates, of the 14th of October;
3. Another message accompanying
4. Gen. Gates's proposals to lieutenant-general Burgoyne's answer;
5. A message from lieutenant-general Burgoyne's answer;
6. Gen. Burgoyne's proposals, and
7. Message from gen. Burgoyne to the Congress.

8. Another message from gen. Burgoyne to gen. Gates, October 16th :
9. Message from gen. Gates to gen. Burgoyne :
10. Return of gen. Burgoyne's army, which surrendered :
11. Return of ordnance, &c. taken and surrendered :
12. Articles of convention :
13. Gen. Gates's explanation to include gen. Burgoyne in the convention :  
After which col. Wilkinson withdrew.

The committee to whom was referred the letter from governor Trumbull, with the enclosed resolution of the general assembly of Connecticut, brought in a report, which was read and considered ; Whereupon,

*Resolved*, That a copy of the resolutions of Congress of the 4th of October last, relative to the department of the purchasing and issuing commissaries, be forthwith transmitted by express to the governor and council of safety of Connecticut, who are authorized and requested to appoint a deputy commissary-general of purchases, and a deputy commissary-general of issues for the eastern district, provided the appointments of Congress to the respective offices aforesaid are not accepted, and gen. Putnam has not made such appointments, agreeable to the powers given him by the resolution last mentioned, or that the officers so appointed should appear to the said governor and council incompetent to the business :

That a copy of the preceding resolution be transmitted by the express aforesaid to major-gen. Putnam, who is directed to inform his excellency governor Trumbull of his conduct relative to the premises, and to direct the officers who may have accepted the appointments aforesaid, forthwith to apply to the governor and council of safety for instructions, and that gen. Putnam cease to proceed further in the business aforesaid :

That a duplicate warrant for 200,000 dollars, on the loan-office in the state of New-York, be issued by the president in favor of William Buchanan, esq. commissary-general of purchases, to serve, in case a warrant of the 10th October last, drawn for the same sum in favor of him on loan-office aforesaid, by the hon. John Hancock, esq. late president of Congress, in pursuance of a resolve of Congress of the said 10th day of October, should have miscarried ; and that the commissary-general of purchases be directed to transmit the same to the governor and council of Connecticut for the deputy commissary-general of purchases of the eastern district :

That the governor and council aforesaid be requested to afford such assistance to the officers in the purchasing and issuing departments of the eastern district, as shall be requisite for obtaining the necessary supplies of provisions for the army, and furnishing them therewith, and that they be farther requested to advance such supplies of money as may be immediately wanted by the deputy commissary-general of purchases aforesaid, and take his order for the same on the commissary-general of purchases.

A motion being made for directing the future operations of gen. Gates :

*Ordered*, That it be referred to a committee of three :

The members chosen, Mr. R. H. Lee, Mr. J. Adams and Mr. Gerry.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

## TUESDAY, November 4, 1777.

The marine committee brought in a report, which was read :

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue in favour of Thomas White, for 500 dollars, in discharge of the following draughts of John Ashe, treasurer of North-Carolina, on the continental treasurer, in favour of the said T. White, expressed to be for the service of the United States, for which the said state is to be accountable, and which is to be considered as part of the 500,

000 dollars heretofore appropriated for the use of the said state, viz. one dated the 9th of May, for 100 dollars, one, dated the 10th of May, for 100 dollars, and one dated the 11th of May, for 500 dollars.

*Ordered*, That a warrant issue in favor of Robert Morris, esq. for 11, 221 30-90 dollars, being for the payment of 95 barrels of powder and 100 muskets purchased of him by the order of the board of war and ordnance:

That a warrant issue in favour of R. Bache, esq. post-master general, to be paid to James Bryson, one of the surveyors of the post-office, for 200 dollars, for the use of the post-master general's department, who is to be accountable:

That a warrant issue for 200 dollars in favor of colonel Josiah O'Neil Hall, to be paid to captain John Sulman, of his regiment, for the use of the party under his command, the said col. Hall to be accountable.

A letter, of the 25th of October, from colonel Sheldon, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to the board of war.

*Resolved*, That his excellency governor Caswell of North Carolina, be requested to erect a monument of the value of 500 dollars, at the expense of the United States, in honour of the memory of brigadier-general Francis Nash, who fell in the battle of Germantown, on the 4th day of October, 1777, bravely contending for the independence of his country.

*Resolved*, That the thanks of Congress, in their own name, and in that of the inhabitants of the thirteen United States, be presented to major-general Gates, commander in chief in the northern department, and to major-general Lincoln and Arnold, and the rest of the officers and troops under his command, for their brave and successful efforts in support of the independence of their country, whereby an army of the enemy of 10,000 men has been totally defeated, one large detachment of it, strongly posted and entrenched, having been conquered at Bennington, another repulsed with loss and disgrace from Fort Schuyler, and the main army of 6000 men, under lieut. gen. Burgoyne, after being beaten in different actions, and driven from a formidable post, and strong entrenchments, reduced to the necessity of surrendering themselves upon terms honourable and advantageous to these states, on the 17th day of October last, to major-general Gates: and that a medal of gold be struck under the direction of the board of war in commemoration of this great event, and in the name of these United States, presented by the president to major-general Gates.

*Resolved*, That Congress have an high sense of the merit of colonel Green, and the officers and men under his command, in their late gallant defence of the fort at Red-Bank, on Delaware river; and that an elegant sword be provided by the board of war and presented to colonel Green.

*Resolved*, That Congress have an high sense of the merit of colonel Smith, and the officers and men under his command, in their late gallant defence of Fort-Mifflin, on the Delaware river; and that an elegant sword be provided by the board of war and presented to colonel Smith.

*Resolved*, That Congress have an high sense of the merit of Hazlewood, commander of the navy of the commonwealth of Pennsylvania, in their late gallant defence of the British fleet, whereby two of the ships were captured, and the others compelled to retire; and that a medal of gold be provided by the board of war and presented to Hazlewood.

Four

The proceedings of a general council, held on the 20th of August, 1777, by order

Walter Butler, an ensign in the king's or 8th regiment, being transmitted to Congress :

*Ordered*, That it be referred to the board of war.

The committee to whom was referred the motion for directing the future operations of the army under the command of major-general Gates, brought in a report, which was taken into consideration ; and, after debate,

*Resolved*, That it be re-committed, and that Mr. Duer be added to the committee.

A letter, of the 3d, from the president of the council of Pennsylvania, was read :

*Ordered*, That it be referred to the board of war.

The marine-committee reported, "that they have received a letter from the navy board at Bordenton, dated the 27th of October last, informing them of orders given by general Washington to scuttle the frigates in the river Delaware, in order to prevent their falling into the hands of the enemy, and that having taken the same into consideration, they are of opinion, that the frigates should be lightened as much as possible, and either run into some adjacent creek or hauled as high upon shore as may be without ballast, and a battery constructed with the guns of the Washington on the most convenient ground, to cover the frigates from the enemy ; that the frigates should be charged properly with combustibles, and a careful watch employed under a vigilant officer to burn them rather than suffer them to fall into the hands of the enemy ; and lest this should fail, that a sufficient number of small craft should be sunk in the channel below the frigates, effectually to obstruct the enemy from moving them down the river, if they should happen to gain possession of them ; and a battery be constructed in the most convenient manner to cover the obstructions and prevent the enemy from removing them ; that all the vessels, of whatever kind, should be run up as high above the batteries and obstructions aforesaid as possible, and the most effectual precautions taken immediately on the approach of the enemy ;" Whereupon,

*Ordered*, That a copy of the said report be sent to general Washington for his approbation, and if he approve the same, that a detachment of troops be sent to assist in constructing and managing the batteries aforesaid.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, November 5, 1777.

A letter from Monsieur de la Balme, was read :

*Ordered*, That it be referred to the board of treasury.

The board of war brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed.

The committee to whom was re-committed the report for directing the future operations of the army under the command of general Gates, brought in a report, which was taken into consideration ; and thereupon,

*Resolved*, That general Washington be informed that it is the earnest wish of Congress to regain the possession of the forts and passes of Hudson's river, and to secure the communication thereof ; and for that purpose, that gen. Gates should remain in command in that quarter ; and that gen. Putnam be called upon to join the main army with such a detachment from the army under the command of gen. Gates, as gen. Washington may think can be spared, not exceeding the number of 2500 men, including col. Morgan's corps :

That a copy of the foregoing resolution be sent to general Gates, and that he be directed to make a proper disposition of the army under his command for reducing, forthwith, the posts of the enemy on Hudson's river, and that he order such of the continental troops and militia, in the service of the United States, as are posted on or near the said river, to join him for the service aforementioned :



That general Gates be empowered to apply to the respective states of Massachusetts-Bay, Connecticut, New-York and New-Jersey, for such a number of their militia as he shall judge necessary to maintain the posts which he shall order to be taken on the said river, to the end that his army may be in readiness to pursue such operations as Congress shall direct; and that the said militia be inlisted to serve until the 15th day of March next, unless sooner discharged by Congress or the commander in chief:

That general Washington be directed to order one or more able engineers to Hudson's river, to attend the army under the command of general Gates:

That general Gates be empowered to order such a number of galleys, gun-boats, fire-rafts, chains, cassoons, and chevaux-de-frize to be provided, and such fortifications to be erected, for obstructing and keeping possession of the North-River, as he shall judge necessary:

That the governor and council of the state of New-York be furnished with a copy of these resolutions, and requested to appoint a committee of three active judicious persons, to assist general Gates in obtaining such artificers and materials for accomplishing these purposes as he shall direct; and the said committee are empowered to apply to the several states of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York and New-Jersey, for their assistance, who are requested to afford the same by furnishing the said committee with such artificers and materials as they, by direction of general Gates, shall apply for; and the said states are respectively requested to furnish such a number of men as general Gates shall require, to accomplish the important and salutary purpose of maintaining the communication between the northern and southern states, by keeping possession of Hudson's river:

That general Gates be authorized and directed to apply to the state of New-York, and the states eastward of the North-River, for such aids as he shall judge necessary for the reduction of Ticonderoga and Fort-Independence, if not reduced by general Stark, at such time as he shall deem best adapted for that expedition; and that the said states be requested to supply general Gates with such a number of their militia as he shall judge necessary for the purposes intended:

That general Gates be directed to take effectual care that the fortifications which shall be erected on Hudson's river be not too extensive, and that each be completed with a well, magazines, barracks, bomb-casements, &c. sufficient for a determined defence:

That if general Washington, after consulting with general Gates and governor Clinton, shall be of opinion, that a reinforcement exceeding the number above-mentioned can be detached to the main army, consistent with the attainment of the objects specified in the preceding resolutions, in such case he be directed to order such further reinforcements to the main army as may be thought conducive to the general welfare, any thing in the preceding resolutions to the contrary notwithstanding.

In debating the last resolution, it was moved after "directed" to insert "with their concurrence;"

<i>New-Hampshire</i> , Mr. Folsom,	no	} no	<i>Pennsylvania</i> , Mr. Morris,	no	
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay		Roberdeau,	no	} no
J. Adams,	ay		Clingan,	no	
Gerry,	ay	} ay	<i>Maryland</i> , Mr. Smith,	no	} no
Lovell,	no		Rumsey,	no	
<i>Rhode-Island</i> , Mr. Marchant,	ay	} ay	<i>Virginia</i> , Mr. Jones,	no	
<i>Connecticut</i> , Mr. Dyer,	ay		F. L. Lee,	no	} n
Law,	no	} no	Harvie,	no	
Williams,	no		<i>N.-Carolina</i> , Mr. Penn,	no	} n
<i>New-York</i> , Mr. Duane,	no	} no	Harnett,	no	
Duer,	no		<i>S.-Carolina</i> , Mr. Laurens,	no	} no
<i>New-Jersey</i> , Mr. Elmer,	no	} no			

So it passed in the negative.

The yeas and nays being required on the resolution ;

<i>New-Hampshire,</i>	Mr. Folsom,	ay	} ay	<i>Pennsylvania,</i>	Mr. Morris,	ay	} ay	
<i>Massa'etts-Bay</i>	Mr. S. Adams,	no				Roberdeau,		no
	J. Adams,	ay	} div.		Clingan,	ay	} ay	
	Gerry,	no			<i>Maryland,</i>	Mr. Smith,		ay
	Lovell,	ay				Rumsey,		ay
<i>Rhode-Island,</i>	Mr. Marchant,	no	} no	<i>Virginia,</i>	Mr. Jones,	ay	} ay	
<i>Connecticut,</i>	Mr. Dyer,	no				F. L. Lee,		ay
	Law,	ay	} ay		Harvie,	ay	} ay	
	Williams,	ay			<i>N.-Carolina,</i>	Mr. Penn,		ay
<i>New-York,</i>	Mr. Duane	ay	} ay		Harnett,	ay	} ay	
	Duer,	ay			<i>S.-Carolina,</i>	Mr. Laurens,		ay
<i>New-Jersey,</i>	Mr. Elmer,	ay	} ay					

So it was resolved in the affirmative.

The board of treasury brought in a report : Whereupon,

**Ordered**, That there be paid to John Conner, late a fifer in the invalid regiment, 14 60-90 dollars, for two month's pay due to him before his being discharged, as per col. Lewis Nicola's certificate, the said sum to be charged to the colonel :

That a warrant issue on the treasurer in favor of W. Buchanan, esq. commissary of purchases, for 52,000 dollars, for the use of his department ; he to be accountable :

That a warrant issue on the treasurer, in favor of Belcher P. Smith, for 205 48-90 dollars, being for his services as a clerk in the secretary's office, from the 1st of July to the 5th of November, and for sundry contingent expenses :

That a warrant issue on Joseph Borden, esq. commissioner of the continental loan-office in the state of New-Jersey, in favor of the continental navy-board, for 40,000 dollars, for the use of the navy department, the said board to be accountable :

That a warrant issue in favor of the delegates of North-Carolina, for the use of that state, for 1000 dollars, it being advanced on the application of C. Harnett, esq. the said state to be accountable, and the money to be considered as part of the 500,000 dollars appropriated for the use of that state :

That a warrant issue in favor of Abraham Clark, esq. to be delivered to Mr. Elmer, for 205 30-90 dollars, it being the amount of eleven barrels of pork he paid for in New-Jersey, which were delivered to captain Francis Wade, who was directed to purchase provisions in that state, the said F. Wade to be accountable.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, November 6, 1777.

A letter, of the 1st, continued to the 3d, from gen. Washington, with sundry papers enclosed, was read :

**Ordered**, That the recommendation in favor of Mons. de Vrigny, being one of the papers enclosed in the general's letter, be referred to the committee on foreign applications :

That the general's letter, with the other papers enclosed, be referred to the board of war.

The board of war brought in a report, which was taken into consideration : Whereupon,

**Resolved**, That col. James Wilkinson, adjutant-general in the northern army, in consideration of his services in that department, and being strongly recommended by gen. Gates as a gallant officer, and a promising military genius, and having brought the despatches to Congress, giving an account of the surrender of lieutenant-general Burgoyne and his army, on the 17th day

of October last, be continued in his present employment, with a brevet of brigadier-general in the army of the United States.

*Resolved*, That the unremitted attention shewn by Dr. Potts, and the officers of the general hospital in the northern department, as represented in general Gates's letter to Congress, of the 20th of October, to the sick and wounded under their care, is a proof not only of their humanity, but of their zeal for the service of the United States, so deeply interested in the preservation of the health and lives of the gallant asserters of their country's cause; and that Congress, therefore, cannot but entertain a high sense of the services which they have rendered, during this campaign, by a diligent discharge of their respective functions.

Congress took into consideration a report of the board of war of July the 23d; and, after some debate thereon,

*Ordered*, That it be re-committed.

Congress being informed that the commissary-general of issues has not assigned districts to his several deputies, agreeably to the regulations of his department,

*Resolved*, That the said commissary-general of issues, be directed to make forthwith such assignments, and communicate the same to the governor and council of the state of Connecticut, and his respective deputies.

A motion being made respecting the convention of Saratoga,

*Ordered*, That it be referred to a committee of four:

The members chosen, Mr. J. Adams, Mr. Duane, Mr. Jones, and Mr. R. H. Lee.

#### FOUR O'CLOCK, P. M.

A letter, of the 25th of October, from the council of Massachusetts-Bay, and one, of the same date, from general Heath, were read:

*Ordered*, That the letter from general Heath, be referred to the committee on the motion respecting the convention of Saratoga, and that the letter from the council of Massachusetts-Bay be referred to the board of war.

The committee on the treasury brought in a report, which was read:

*Ordered*, That it be re-committed.

Congress took into consideration the report of the board of war brought in yesterday; Whereupon,

*Resolved*, That general Washington be directed immediately to settle the relative ranks of the officers of the cavalry, and to issue their commissions accordingly, and that he be furnished with copies of the several resolutions of Congress on that subject.

*Ordered*, That the a. to-morrow.

The committee on the

*Ordered*, That there be agreeable to the request and blankets for the use of the command of brigadiere advanced:

That a warrant issue for a battalion of militia under the command of brigadiere, for 1000 dollars, the said

That there be paid to the said battalion, for their expenses to Brunswick, in New-Jersey

That there be paid to the said battalion, in direction of Mr. Hancock, said L. Barry to be char

That there be advanced to adjutant Thomas Taylor, of the Georgia battalion, commanded by colonel J. White, 200 dollars, to enable him to bring in deserters of the said regiment, the said sum to be charged to the state of Georgia, and to be considered as a part of the 300,000 dollars appropriated for the use of that state.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**FRIDAY, November 7, 1777.**

*Ordered*, That a duplicate of the recommendation to the several states to set apart a day of thanksgiving, signed by the president, be sent to the several states, and to general Washington and general Gates.

Congress resumed the consideration of the report of the board of treasury ;  
Whereupon,

*Resolved*, That one million of dollars be emitted under the direction of the treasury board and on the faith of the United States :

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 15th of August last, and be numbered from the last number of each respective denomination, viz.

15,384 bills of the denomination of 3 dollars,		46,152	15,385 ditto	2 ditto,	30,770
15,384 ditto	4 ditto,	61,536	15,385 ditto	8 ditto,	123,080
15,384 ditto	5 ditto,	76,920	15,385 ditto	30 ditto,	461,550
15,384 ditto	6 ditto,	92,304			<hr/>
15,384 ditto	7 ditto,	107,688			1,000,000

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the said emission, directed on August the 15th, shall extend to the said one million to be emitted ; subject, however, to such directions and instructions as the board of treasury may judge expedient.

Whereas, major-general Mifflin, by his letter of October the 8th last, has requested leave to resign his commission of major-general, and office of quarter-master general in the army, on account of his ill state of health :

*Resolved*, That his resignation of the office of quarter-master general be accepted, but that his rank and commission of major-general be continued to him, without the pay annexed to that office, until farther order of Congress.

Congress proceeded to the election of a board of war, and the ballots being taken,

Major-general Mifflin, colonel Timothy Pickering, and colonel Robert H. Harrison, were elected.

*Ordered*, That the president inform the several gentlemen of their appointment, and desire their attendance with all convenient despatch.

A memorial from John Richards, in behalf of himself, James Taylor and company, and Hall and Hornet, was laid before Congress, and read.

Congress being informed, that Mr. Houston has declined the office of deputy secretary, on account of his being elected a member of assembly, for the state of New-Jersey :

*Resolved*, That another deputy secretary be appointed :

That the pay of the deputy secretary be 75 dollars a month.

*Resolved*, That Jacob Rush, esq. be appointed deputy secretary.

*Resolved*, That Mr. John Eustace, who has served with honour, fidelity and bravery as aid-de-camp to general Lee and general Sullivan, have the commission of a major, in the service of the United States.

*Resolved*, That to-morrow be assigned for electing a quarter-master general in the room of general Mifflin.

The board of treasury report, " That agreeable to the order of Congress,

referring to the board the claims of Mons. le Brun and the other French gentlemen who accompanied the late Mons. du Coudray from France in consequence of an agreement with Mr. Deane, they have been attended by Mon. le Brun, who is agent for the other gentlemen :

That the board offered Mons. le Brun to report it as their opinion, and which they had reason to believe would be agreeable to Congress, notwithstanding they declared that the United States were not bound by Mr. Deane's convention, that Mons. le Brun and all the other gentlemen whom he represents should be received into the service of the United States and enjoy the several ranks and employments which had been stipulated for them by Mr. Deane, and the same pay and appointments which were allowed to other officers of similar ranks and employments in the American army, explaining, at the same time, the mischief which must arise from partial distinctions in the appointments of the officers of the army ; that they had made the same propositions and remarks with respect to him and the gentlemen whom he represents, to Mr. du Coudray, in his life time, which they presumed had been communicated ; that Mr. le Brun, in answer to this proposal, declared that he, and the gentlemen whom he represented, were determined to return to France as soon as possible, and presented a paper setting forth their claims against the United States, which, with the account referred to them by Congress, the board took into consideration : that Congress, on the 15th day of October last, did pass the following resolution : " that the commissioned and non-commissioned officers who have accompanied Mons. du Coudray from France, have the ranks proposed for them in France, together with the pay and emoluments of equal ranks in the service of the United States : " that it appears from a memorial presented to Congress by Mons. du Coudray, that he received, at Havre-de-Grace, in France, from Mr. Montieu, by order of Mr. Deane, 26,541 livres, as well for himself as the officers who accompanied him ; which sum was intended to have been applied to defray the expense, of their voyage to America, and of furnishing themselves with necessary camp equipage on their arrival, and for which the committee agreed to make no charge against them. On these principles the board submit to Congress the following resolution, viz.

*Resolved*, That it is the opinion of this committee, that the return of the said gentlemen to France, at their own request, be facilitated, and that it will be doing full justice to allow them continental pay according to their respective stations, from the time of their agreement with Mr. Deane, to the 1st of November, 1777, their expenses in travelling to the eastward or southward for embarkation for Europe, and a farther sum in bills of exchange for their passages to France and travelling charges to Paris ; that the bills be drawn in their favor, by the president, on the commissioners in France, at thirty days' sight, and that these allowances shall be in full satisfaction of their several claims against the United States ; and the committee having made an estimate of the allowances according to this resolution, submit the same, in manner following :

	Amount of pay.	Travelling expenses.	Passage and travelling expenses to Paris.
Dr. Noel,	600	dollars 100	dollars 900
Mr. Le Brun, adj. gen.	1000	do. 100	do. 900
Le Brun, capt. engin.	700	do. 100	do. 900
Villefranche, do.	700	do. 100	do. 900
Varaigue, do.	675	do. 100	do. 900
Frontfreyde, lieut. eng.	437 2-3	do. 100	do. 900
Rivaud, do.	437 2-3	do. 100	do. 900
Le Blanc, do.	437 2-3	do. 100	do. 900
L'Enfant, do.	437 2-3	do. 100	do. 900



Mr. Niverd, capt. mine.	650	dollars	100	dollars	900	livres tourn.
Canyjett, lieut. do.	437 2-3	do.	100	do.	900	do.
Parisis, do.	437 2-3	do.	100	do.	900	do.
Des Espiniers, capt.	675	do.	100	do.	900	do.
Romanett, do.	650	do.	100	do.	900	do.
Loyaute, capt. artillery	600	do.	100	do.	900	do.
Touzard, do.	550	do.	100	do.	900	do.
De Goy, capt. lt. do.	520	do.	100	do.	900	do.
Pierre, do.	520	do.	100	do.	900	do.
Parison, do.	520	do.	100	do.	900	do.
Matthiot, lieutenant,	325	do.	100	do.	900	do.
Boichard, do.	325	do.	100	do.	900	do.
Ganot, do.	325	do.	100	do.	900	do.
Mattigny, do.	283 1-3	do.	100	do.	900	do.
Pommereuil, do.	300	do.	100	do.	900	do.
Du Ballat, do.	283 1-3	do.	100	do.	900	do.
Fouquet, capt. bomb.	520	do.	100	do.	900	do.
Fouquet, lieutenant,	325	do.	100	do.	900	do.
Begard, lt. workmen,	325	do.	100	do.	900	do.
12 Sergeants of artillery,	1625	do.	000		000	
	15,622 2-3		2800		25,200	

Of which they have been paid 11,421, so that there remains a balance of pay 4201 2-3 dollars, for expenses 2800 dollars, and for taking a draught at Marcus-Hook 219 dollars, amounting in the whole to 7220 2-3 dollars; Whereupon,

*Resolved*, That Congress agree to the said report and resolution, and that the said balance of 7220 2-3 dollars be paid, and bills drawn for 25,200 livres accordingly.

The committee on the treasury brought in a farther report; Whereupon,

*Resolved*, That the provision made for Mr. le Brun, and the officers who accompanied him from France, be extended to Mr. le Balme, who has resigned his commission as inspector-general of horse in the service of the United States, and intends to return to Paris, and that there be paid to the said Mr. de la Balme the balance of his pay 167 45-90 dollars, 100 dollars for his travelling expenses to Boston or Charlestown, and a further sum of 900 livres, in bills of exchange, for his passage to France, and charges to Paris, and that the bills be drawn in his favor on the commissioners in France, at thirty days' sight, and that these allowances shall be in full satisfaction of his claims against the United States.

FOUR O'CLOCK, P. M.

A motion being made for supplying col. Dayton with a horse,

*Ordered*, That it be referred to the board of war.

Application being made by Mr. le Brun for two wagons to carry his and the other gentlemen's effects to Boston, or to the southward:

*Ordered*, That it be referred to the board of war, with power to grant his request, and to employ the wagons on their return in such public service as they think proper.

Congress resumed the consideration of the articles of confederation: Whereupon, it was moved, after the words "to appoint one of their number to preside," to add "provided that no person be allowed to serve in that office more than one year in any term of three years:" and the yeas and nays being required;

<i>N.-Hampshire,</i>	Mr. Folsom,	ay	ay	<i>Pennsylvania,</i>	Mr. Morris,	no	ay
<i>Massa'us-Bay,</i>	Mr. S. Adams,	ay			Roberdeau,	ay	ay
	Gerry,	ay	ay		Clingan,	ay	
	Lovell,	ay		<i>Maryland,</i>	Mr. Smith,	no	ay
<i>Rhode-Island,</i>	Mr. Marchant,	ay	ay		Rumsey,	ay	ay
<i>Connecticut,</i>	Mr. Dyer,	no		<i>Virginia,</i>	Mr. Jones,	ay	ay
	Law,	no	no		F. L. Lee,	ay	ay
	Williams,	no			Harvie,	ay	ay
<i>New-York,</i>	Mr. Duane,	no	no	<i>N.-Carolina,</i>	Mr. Penn,	no	ay
	Duer,	no			Harnett,	ay	ay
<i>New-Jersey,</i>	Mr. Elmer	ay	ay	<i>S.-Carolina,</i>	Mr. Laurens,	ay	ay

So it was resolved in the affirmative.

A motion was made to strike out the whole article relative to the powers of the committee of the states, and instead thereof to substitute, "The committee of the states, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress, as the United States Congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with, provided no power be delegated to the said committee for the exercise of which, by the articles of confederation, the voice of nine states in the Congress of the United States assembled is requisite;" and the question being put, resolved in the affirmative.

In the article respecting Canada it was moved to strike out the word "entirely" before "joining" and read "Canada acceding to this confederation and joining in the measures of the United States," resolved in the affirmative.

Ordered, That Mr. S. Adams, and Mr. J. Adams, have leave of absence to visit their families.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, November 8, 1777.

The committee to whom was referred the motion respecting the convention of Saratoga, brought in a report; which was read:

On motion, that the consideration thereof be postponed;

<i>New-Hampshire,</i>	Mr. Folsom,	ay	ay	<i>New-Jersey,</i>	Mr. Elmer,	ay	ay
<i>Massa'us-Bay,</i>	Mr. S. Adams,	no		<i>Pennsylvania,</i>	Mr. Roberdeau,	no	ay
	J. Adams,	no			Clingan,	no	ay
	Gerry,	ay	no	<i>Maryland,</i>	Mr. Smith,	ay	ay
	Lovell,	no			Rumsey,	ay	ay
<i>Rhode-Island,</i>	Mr. Marchant,	no	no	<i>Virginia,</i>	Mr. Jones,	no	ay
<i>Connecticut,</i>	Mr. Dyer,	no			F. L. Lee,	no	ay
	Law,	ay	ay		Harvie,	ay	ay
	Williams,	ay		<i>N.-Carolina,</i>	Mr. Penn,	ay	ay
<i>New-York,</i>	Mr. Duane,	ay	ay		Harnett,	ay	ay
	Duer,	ay	ay				

So it was resolved in the affirmative.

#### FOUR O'

Congress resumed the consideration: Whereupon,

Resolved, That major-general He taken down the name and rank of every former place of abode, occupation, commissioned officer and private soldier in the convention made between general Gates, on the 16th day of October copy thereof to the board of war, in person, as above mentioned, of the arms against these states in North-

may be convicted of the offence, and suffer the punishment in such case inflicted by the law of nations :

That major-general Heath be directed to take the parole in writing of the officers according to the convention, and transmit authenticated copies of such paroles to the board of war.

*Ordered*, That the committee have leave to sit again.

A memorial from sundry officers of the Pennsylvania troops was read :

*Ordered*, That it be referred to the board of war.

*Resolved*, That general Mifflin be desired, notwithstanding his resignation of quarter-master general is accepted, to continue in the exercise of that office, and that he be invested with full powers to act until another quarter-master general is appointed and enters upon the duties of the office.

The committee on foreign applications reported a memorial and proposal from Mr. Fouquet and son, to continue in the service of the United States :

*Ordered*, That the same be referred to the board of war, and that they be empowered to enter into a contract with Mr. Fouquet and son, and engage them in the service of the United States.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, November 10, 1777.

A letter, of the 30th, and one of the 31st of October, from gen. Gates at Albany, with one, of the 26th enclosed, from governor Clinton to gen. Gates :

A memorial, from Mons. le Brun ; and a letter, of the 8th, and one, of the 10th inst. from W. Buchanan, commissary-general of purchases, were read :

*Ordered*, That the letter from governor Clinton be referred to the board of war ; that the letters from gen. Gates and Mr. Buchanan, and the memorial from Mr. le Brun, be referred to the board of treasury.

Sundry depositions relative to the conduct of lieut. Reynolds, of one of the additional regiments, were read :

*Ordered*, That they be referred to gen. Washington, and that he be directed to cause a strict enquiry to be made into the conduct of lieut. Reynolds, as set forth in the said depositions, that if found guilty he may be punished as his crimes deserve.

Congress took into consideration a report of the board of war of the 6th ; Whereupon,

*Resolved*, That the committee of foreign affairs be directed to write to the commissioners of the United States, in France and Spain, to purchase and ship, on continental account, in armed vessels, in addition to what has heretofore been ordered by Congress, 500 tons of lead, 400 tons of powder, one million of gun-flints, tents for 50,000 men, and 10,000 yards of flannel for cartridges, to be sent to such ports and places as the said committee shall direct ; and that the former orders of Congress, and of the commercial committee for clothing, fire-arms, equipage, brass field-pieces, salt, and other articles, and for 130,000 blankets, be completed as soon as may be :

That the committee be also directed to write to the commissioners, and instruct them to contract with, and send over, by different conveyances, two or three persons, well acquainted with the making of gun-flints, in order to instruct persons in that business, and introduce into these states so useful a manufacture ; likewise, three or more proper persons, skilful in working lead-mines and refining lead-ore, and three or more persons, skilful in the discovery of sulphur-mines, and manufacturing and refining sulphur.

*Ordered*, That the commercial committee, and the committee of foreign affairs, immediately report to Congress what orders they have transmitted to the commissioners of the United States, in France and Spain, for military

supplies, designating what have arrived, and such as they are informed have been taken by the enemy, or have miscarried.

*Resolved*, That gen. Gates be authorized to order the deputy pay-master general to pay, upon the certificates of such officers as he shall think proper, the sums due to the officers and soldiers of the army, under his command, for rations or parts of rations, allowed to, but not drawn by them, respectively, provided the regulations of the commissary's department, relative to the payment of rations as aforesaid, be no longer dispensed with than gen. Gates shall judge necessary.

*Ordered*, That to-morrow be assigned for appointing a deputy commissary-general of purchases and a deputy commissary of issues in the western district.

FOUR O'CLOCK, P. M.

Sundry propositions being laid before Congress in addition to the articles of confederation :

*Resolved*, That a committee of three be appointed to take the same into consideration, and report such as they shall judge proper to be added to the articles of confederation, not changing or altering any of the articles already agreed on.

The members chosen, Mr. Law, Mr. R. H. Lee, and Mr. Duane.

A memorial from Mr. de Vernejour, was read :

*Ordered*, That it be referred to the board of war, and that they be directed to consider the merit and services of Mr. Fleury, and Mr. du Plessis, and report to Congress.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

TUESDAY, November 11, 1777.

A memorial, from chevalier Dorset, and a memorial from the officers who accompanied Mr. du Coudray, were read :

*Resolved*, That a committee of three be appointed to take into consideration the applications of the commissioned and non-commissioned officers who accompanied Mr. du Coudray from France ; to revise the report of the treasury and the resolutions of Congress thereon respecting those officers ; and as soon as possible report to Congress what farther sums, if any, they may apprehend it just and expedient Congress should grant them ; that the committee also take into consideration the memorial of the chevalier Dorset and the applications of any other foreign gentlemen now attending Congress.

The members chosen, Mr. R. H. Lee, Mr. Marchant, and Mr. Duane.

FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report : *Whereupon*

*Ordered*, That a warrant issue to the secretary to the marine committee, who are to be accountable :

That the president issue a warrant of the loan-office for the state of agent to Joseph Trumbull, esq. advanced in consequence of Mr. to enable him to pay his contract be accountable :

That a warrant issue in favor of the payment of Joseph Simon's last, in his favor, for blankets delivered for the use of the hospital there,

The committee appointed to

posed to be added to, or included in, the confederation, brought in a report which was read :

*Ordered*, That it be taken into consideration to-morrow morning.

Congress proceeded to the election of a deputy commissary-general of issues, for supplying the forts and posts on the western frontiers of Pennsylvania and Virginia, and the ballots being taken,

John Erwing was elected.

The president laid before Congress a copy of a resolution passed in Congress on September the 18th, ordering commissions to be granted to a number of officers in the department of the commissary-general of military stores, which was delivered to him by colonel B. Flower, C. G. M. together with the list of the officers, who, notwithstanding the resolution aforesaid, have not yet received their commissions ;

Whereupon, *Ordered*, That commissions be granted to the following persons in the department of the commissary-general of military stores, with the dates annexed to their respective names, agreeably to the said list, viz.

Of the company to work in the laboratory, inlisted to serve during the war as artillery men, Isaac Coren, captain, February the 1st, 1777 ; Will. E. Godfey, captain-lieutenant, July the 1st, 1777 ; Anthony Wright, first-lieutenant, March the 1st, 1777 ; Andrew Caldwell, second-lieutenant, April the 1st, 1777 :

Of the company of artillery artificers, inlisted during the war, to be attached to the artillery in the field, Jesse Roe, captain February the 3d, 1777 ; Valentine Hoffman, captain-lieutenant February the 12th, 1777 ; Christian Beackly, first-lieutenant February the 3d, 1777 ; and Will. Preston, second lieutenant April 7, 1777.

Of the companies of artillery artificers, inlisted to serve for one year, and ordered to be re-inlisted to serve during the war : Nathaniel Irish, captain, February 7th, 1777 ; Thomas Wylie, captain lieutenant, February 17th, 1777 ; George Norris, first-lieutenant, February 8th, 1777 ; James Sweiney, second lieutenant, February 22d, 1777 ; David Pancoast, captain, February 10th, 1777 ; John Jordan, captain-lieutenant, February 17th, 1777 ; James Gibson, first-lieutenant, February 17th, 1777 :

Jonathan Gostelow, major, commissary of military-stores, February 1st, 1777 ; Joseph Watkins, major, commissary of ordnance-stores, February 5th, 1777 ; Wollory Ming, captain, superintendent of leather manufactory, April 1st, 1777 ; Samuel Sergeant, superintendent of the public works at Carlisle, and keeper of all the stores, August, 1777, his pay 60 dollars a month and 4 rations a day :

Charles Lukins, major, commissary of military-stores and pay-master to the commissary-general of military-stores in the department at Carlisle, March 8th, 1777, his pay 60 dollars a month and 4 rations a-day :

Johnson Smith, contractor and procurer of all the lumber and some other materials wanted for the public works at Carlisle, July 21st, 1777, pay 60 dollars a month and 3 rations a day :

Cornelius Sweers, assistant-commissary of military-stores at Philadelphia, February 1st, 1777 :

Alexander Power, quarter-master to the corps of artillery artificers at Carlisle, July 30th, 1777, same pay and rations as regimental quarter-master :

Samuel French, major, commissary of military-stores, January 18th, 1777, with the army :

George Everson, captain, deputy commissary of military-stores, January 18th, 1777 :

Alexander Henderson, captain deputy commissary of military stores, September 10th, 1777.

A memorial, from Thomas Hite, administrator of the estate of Jacob Hite, deceased, in behalf of the heirs of the said deceased, was read :



*Ordered*, That it be referred to the board of treasury.  
The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, November 12, 1777.

A letter, of the 8th, from general Washington, at White-Marsh, enclosing a copy of a letter from general Dickinson; one, of the 31st of October, from general Heath; also, a letter of the 30th of October, from Ebenezer Hancock; and one, of the 16th of October, from J. Bradford; were read:

*Ordered*, That the letters from general Washington and E. Hancock be referred to the board of treasury; and that the letter from J. Bradford be referred to the committee of commerce.

*Resolved*, That a copy of general Heath's letter of the 31st of October be transmitted to the general assembly of the state of Massachusetts-Bay, who are requested to afford Samuel Allen Otis, esq. agent of the clothier general in the said state, the necessary assistance for procuring the clothing mentioned in the said letter, and for having it made up for the army, who are in great want thereof.

An order drawn on John Hancock, esq. president of Congress, by George Morgan, in favor of Sampson Matthews, dated October the 1st, 1777, was presented to Congress:

*Ordered*, That it be referred to the board of treasury.

Congress took into consideration the articles proposed to be added to the confederation; Whereupon,

*Resolved*, That the following be included:

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress:

The members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to, and from, and attendance on, Congress, except for treason, felony or breach of the peace.

Adjourned to four o'clock.

FOUR O'CLOCK, P. M.

The board of treasury brought in a report; Whereupon,

*Ordered*, That Jonathan Trumbull, esq. transmit to Congress a certificate from Mr. Cuyler, deputy commissary-general of purchases for the northern district, specifying the sum supplied the latter from the military-chest, and that the board of treasury be authorized thereupon to credit Mr. Trumbull for the said sum, and charge it to the commissary-general of purchases.

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the continental loan-office in the state of Massachusetts-Bay, in favor of Dr. William Shippen, director-general of the hospital, for 67,000 dollars for the use of his department, and for which he is to be accountable:

That a warrant issue on Nathaniel Appleton, commissioner of the continental loan-office in the state of Massachusetts-Bay, in favor of William Buchanan, commissary-general of purchases, for 200,000 dollars for the use of the northern department; and that another warrant issue on the continental treasurer in favor of the board of war for 200,000 dollars, to be by them transmitted to the deputy commissary-general of purchases for the northern department; that one other warrant issue on the treasurer in favor of the board of war, for 200,000 dollars, to be by them transmitted to the deputy commissary-general of purchases in the southern district; for which three sums, amounting to 600,000 dollars, the said William Buchanan, esq. commissary-general of purchases, is to be accountable.

Congress resumed the consideration of the articles proposed to be added to the confederation; Whereupon,

**Resolved**, That the following be included therein: if any person guilty of, or charged with treason, felony, or other high misdemeanor in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of the states, to the records, acts and judicial proceedings of the courts and magistrates of every other state.

It was then moved to add, "and an action of debt may be commenced in a court of law of any state for the recovery of a debt due on judgment of any court in any other state; provided the judgment creditor shall give bond with sufficient sureties before the said court, in which the action shall be brought, to answer in damages to the adverse party, in case the original judgment should be afterwards revised and set aside, and provided the party against whom such judgment may have been obtained, had notice in fact of the service of the original writ upon which such judgment shall be founded;"

<i>New-Hampshire,</i>	Mr. Folsom,	no	}	no	<i>Maryland,</i>	Mr. Smith	no	}	div.
<i>Massa'tts-Bay,</i>	Mr. Gerry,	no			}	*			
<i>Rhode-Island,</i>	Mr. Marchant,	ay	}	ay			<i>Virginia,</i>	Mr. Jones,	no
<i>Connecticut,</i>	Mr. Dyer,	ay			}	ay		R. H. Lee,	no
	Law,	no	}	ay				F. L. Lee,	no
	Williams,	ay			}	*	<i>N.-Carolina,</i>	Mr. Penn,	no
<i>New-York,</i>	Mr. Duane,	ay	}	no				Harnett,	no
<i>New-Jersey,</i>	Mr. Elmer,	no			}	div.	<i>S.-Carolina,</i>	Mr. Laurens,	no
<i>Pennsylvania,</i>	Mr. Roberdeau,	ay	}	no					
	Clingan,	no							

So it passed in the negative.

A letter, of the 10th, from general Washington, was read, together with the proceedings of a board of general officers for settling the ranks of the Pennsylvania field officers, dated the 17th of August, 1777, and the same being taken into consideration; Thereupon,

**Resolved**, That Congress agree to the principle adopted by the said board in settling the relative rank or precedence of officers according to that standing they held in the army immediately before their present commissions, except where persons are promoted upon a principle of merit only; and that the arrangement made by the said board, with respect to the relative rank of the Pennsylvania field-officers, be, and it is hereby confirmed.

**Resolved**, That the commissions heretofore granted to the said officers be, and they are hereby vacated.

**Ordered**, That the said commissions be delivered by the respective officers to general Washington.

**Ordered**, That new commissions be made out for the said officers, with the ranks and dates annexed to their names respectively, and transmitted to general Washington:

1st. colonel Magaw, January 3d, 1776; 2d, colonel Irwin, January 9th; 3d, colonel Cadwalader, September 7th; 4th, colonel Johnson, September 27th; 5th, colonel Chambers, September 28th; 6th, colonel Broadhead, September 29th; 7th, colonel Wood, September 30th; 8th, colonel Hampton, October 1st; 9th, colonel Cook, October 2d. Lieutenant-colonels; 1st, Nagle, August 21st; 2d, Becker, August 22d; 3d, Ross, September 27th; 4th, Richard Butler, September 28th; 5th, Craig, September 29th; 6th, William Butler, September 30th; 7th, Frazier, October 1st; 8th, Greer, October 2d; 9th, Gurney, October 3d; 10th, Hubley, October 4th; 11th, Gray, October 5th, 1776. Majors. 1st, Smith, September 27th, 1776; 2d, Miller, September 28th; 3d, Williams, September 29th; 4th, Lamar, September 30th; 5th, Harman, October 1st; 6th, Robinson, October 2d; 7th, Benezet, October 3d; 8th, Bayard, October 4th; 9th, Hay, October 5th; 10th, North, October 6th; 11th, Mentzes, October 7th; 12th, Crawford, October 8th, 1776.

*Resolved*, That colonel Stewart's regiment be annexed to the Pennsylvania line and form the thirteenth regiment.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

THURSDAY, November 13, 1777.

The board of war brought in a report; Whereupon,

*Resolved*, That blank commissions be sent to general Gates, to enable him to fill up the vacancies in the Massachusetts regiments, in pursuance of powers given him for that purpose by that state.

A letter, of the 17th of October, from William Aylett, esq. enclosing his accounts for the purchase of flour, was laid before Congress and read:

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That a committee of three be appointed to enquire into the cause of the obstructions in the department of the post-master general, and report thereon to Congress:

The members chosen, Mr. Roberdeau, Mr. Gerry, and Mr. Marchant.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of Ebenezer Hancock, esq. deputy pay-master general in the eastern department, for 200,000 dollars, to be paid after the warrants drawn the 12th instant, in favor of the commissary-general of purchases; it being for the use of the said department, and for which the said deputy pay-master general is to be accountable:

That a warrant issue on the continental loan-officer for the state of Rhode-Island, for 44,000 dollars, and another warrant on the commissioner of the loan-office in the state of Maryland for 8,000 dollars, both in favor of the marine committee, or their order, and for which they are to be accountable:

That a warrant issue on the treasurer in favor of col. Jesse Ewell, of a regiment of militia from the state of Virginia, for 1097 30-90 dollars, for which he is to be accountable:

That a warrant issue on the continental loan-officer for the state of Massachusetts-Bay, for 20,000 dollars, and another warrant on the commissioner of the loan-office in the state of New-Hampshire, for 10,000 dollars, both in favor of James Mease, esq. clothier-general, being an advance for the use of his department, and for which he is to be accountable:

That a warrant issue on the treasurer in favor of captain David Bell, for 3000 dollars, in discharge of a bill drawn on Congress in favor of Samuel Matthews, by colonel George Morgan, dated the 1st of October, 1777, account of provision for the use of the western department; col. Morgan to be accountable.

FOUR O'CLOCK. P. M.

A letter, of the 3d, from gen. Putnam, and one, of this day, from William Buchanan, esq. commissary-general of purchases, with one enclosed from gen. Putnam, dated November the 3d, were read:

*Ordered*, That the same be referred to the committee appointed to consider and report upon the letter from S. Hopkins, esq. and the papers enclosed.

Congress resumed the consideration of the articles proposed to be added to the confederation, and the following were agreed to:

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the respective states; and the people of each state shall have free ingress and egress to and from any other state, and shall enjoy therein all the privileges

of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively ; provided that such restriction shall not extend so far as to prevent the removal of property imported into any state to any other state of which the owner is an inhabitant ; provided, also, that no imposition, duties, or restriction, shall be laid by any state on the property of the United States, or either of them.

All bills of credit emitted, moneys borrowed, and debts contracted by or under the authority of Congress, before the assembling of the United States in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions, as they may respect such lands, and the states which passed such grants, are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined in the same manner, as near as may be, as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

*Resolved*, That a committee of three be appointed to revise and arrange the articles of confederation agreed to, and to prepare a circular letter to the respective states to accompany the said articles :

The members chosen, Mr. R. H. Lee, Mr. Duane, and Mr. Lovell.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, November 14, 1777.

A letter, of the 11th, from gen. Washington, at White-Marsh, with a copy of a letter of the 7th, from gen. Putnam, and a report of a board of general officers on the subject of rations, and a memorial from Mons. du Portail enclosed, was read ; also, a letter of the 11th, from W. Palfrey, esq. pay-master general, with sundry papers enclosed, was read :

*Ordered*, That the letter from gen. Washington, with the papers enclosed, be referred to the board of war :

That the letter from W. Palfrey, with the papers enclosed, be referred to the board of treasury :

Whereas major-general Schuyler has greatly suffered in his private affairs by the barbarous ravages of the British army, under the command of lieutenant-general Burgoyne, on their retreat from Saratoga :

*Resolved*, That major-general Schuyler be at liberty to attend his private affairs until the committee appointed to enquire into the causes of the loss of Ticonderoga and Mount-Independence shall make their report, and he shall have notice to attend at head-quarters, in order to an enquiry into that event.

Whereas, the committee appointed to enquire into the causes of the loss of Ticonderoga and Mount-Independence, have not yet been able to collect materials and make their report :

*Resolved*, That major-general St. Clair be at liberty to attend his private affairs until he shall have notice to repair to head-quarters, in order to an enquiry into his conduct.

*Ordered*, That a warrant issue in favor of the board of war, for 150,000 dollars, to be forthwith transmitted, agreeably to the request of William Palfrey, esq. pay-master general, to William Bedlow, his deputy at Fish-kill ; the said William Palfrey, esq. to be accountable ; and that the board of war direct the commanding officer at Fish-kill to inform the troops there, that money shall be sent as soon as possible to discharge the arrearages due to them.

The committee appointed to revise and arrange the articles of confederation, reported a draught, which was read and agreed to.

*Ordered*, That a fair copy be made out accordingly.

FOUR O'CLOCK, P. M.

The committee appointed to take into consideration the application of the commissioned and non-commissioned officers who accompanied Mr. du Coudray from France, to revise the report of the treasury and the resolutions of Congress thereon respecting those officers, and as soon as possible to report to Congress what farther sums, if any, they shall apprehend it is just and expedient Congress should grant to them, and also to take into consideration the memorial of the chevalier Dorset and the application of any other foreign gentlemen attending Congress; report,

That they find by the representation of Mr. le Brun, that among the officers of the late general du Coudray's corps, there are six gentlemen who have received no part of the gratifications allowed to the other officers of that corps out of the 26,541 livres granted by Mr. Deane, which sum of 26,541 livres has been otherwise expended, as appears from an account presented to Congress by general du Coudray before his death: that the reason of these officers being formerly omitted, except Mr. Touzard and Mr. Epiniers, who received part of their gratifications, arose from its being more agreeable to them to receive their portions in America than in France, having money sufficient for immediate use in that country, prior to their embarkation: the committee therefore are of opinion, that it will be equal and right to allow the gentlemen formerly omitted, gratifications proportionable to what have already been made to others of similar rank in the same corps, as follows, viz. To Monsieur des Epiniers, 900 livres, Mr. Romanett, 1500 livres, Mr. Touzard, 450 livres, Mr. Matigny, 600 livres, Mr. l'Enfant, 600 livres, Mr. Ganot, 600 livres, making in the whole 4650 livres:

The committee also think it reasonable, that provision be made for the travelling expenses and the passages of twelve serjeants belonging to general du Coudray's corps, who are likewise returning to France, in proportion to the allowance already made the commissioned officers, which proportionate allowance the committee estimate at 60 dollars each, for travelling expenses to Boston, and 450 livres each, for passage and travelling expenses to Paris, amounting to 720 dollars and 5400 livres.

The committee likewise find upon examination, that in the former settlement a balance of travelling expenses, accruing on the journey from Boston to Philadelphia, was omitted to be credited, which ought to be added, amounting to 1004 dollars.

The committee are farther of opinion, that the inconveniences of a similar pay to persons of similar ranks serving in the same army, being a bar at present, since the officers under consideration are returning to France, it will therefore be expedient and proper that they be allowed their pay in livres, by which it appears that a balance should be paid to Mr. le Brun, to be distributed among the respective commissioned and non-commissioned officers, amounting to 14,580½ livres; that the livres allowed by this report be paid in the same manner as those lately reported by the committee to the treasury for the same corps.

The committee are of opinion, that no settlement of general du Coudray's affairs can properly be made but with his legal representatives, and that Mr. le Brun may, if he desires it, be furnished with a certificate of this opinion as well as that it is deemed unnecessary to comprehend Mr. Fleury in the settlement, since that gentleman is now engaged in the continental service, and that Mr. le Brun be furnished with a copy of this report, attested by the secretary of Congress.

The committee are farther of opinion, that the two servants of Mr. du Coudray be furnished each with a draft on the commissioners for 450 livres.



French livres, to pay their passage to France ; which sum is to be charged in account with general du Coudray."

The said report being read, and question put to agree to it ;

<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} ay	<i>Maryland</i> , Mr. Smith,	ay	} ay
Lovell,	ay		Rumsey,	ay	
<i>Rhode-Island</i> , Mr. Marchant,	ay	} ay	<i>Virginia</i> , Mr. Jones,	ay	} ay
<i>Connecticut</i> , Mr. Dyer,	ay		R. H. Lee,	ay	
Law,	no	} ay	F. L. Lee,	ay	
Williams,	no		Harvie,	ay	
<i>New-York</i> , Mr. Duane,	no	} no	<i>N.-Carolina</i> , Mr. Penn,	no	} div.
<i>New-Jersey</i> , Mr. Elmer,	no		Harnett,	ay	
<i>Pennsylvania</i> , Mr. Roberdeau,	ay	} ay	<i>S.-Carolina</i> , Mr. Laurens,	ay	} ay
Clingan,	ay				

So it was resolved in the affirmative.

*Resolved*, That the additional allowances now made shall be deemed and considered to be in full satisfaction of all claims which the said gentlemen, or either of them, have against the United States or against Mr. Deane.

*Resolved*, That general Washington be informed that Congress have long since written to the commissioners in France for clothes complete for 80,000 men, and have received for answer that they might be expected here by the setting in of winter ; in consequence of which, Congress have reason to hope for this necessary arrival in a short time : that Congress have also adopted various other means for importing clothing, which they have reason to expect will be successful ; and, on the 16th day of October, ordered a copy of the general's return of articles wanted for the army to be transmitted to the respective assemblies of the eastern and middle states, with a pressing recommendation to them to use their utmost endeavors to collect the same without delay, and send them to the army. But, since the wants of the army are immediate, Congress wish the general may avail himself of the powers vested in him for obtaining these necessary supplies from the disaffected inhabitants. Congress being of opinion that the well disposed people of these states will rather be pleased than dissatisfied with a procedure, by which their enemies shall be compelled to supply those things that are essential to the support and comfort of the army, and more especially as even the disaffected will be paid a reasonable price for what is demanded of them ;

*Resolved*, That the powers with which general Washington was invested by a resolution of Congress of the 17th of September, and another of the 8th of October last, be continued to the 1st day of March next, unless sooner revoked by Congress.

*Resolved*, That the president write a letter to the hon. Thomas M'Kean, speaker of the house of assembly of the state of Delaware, requesting him to exert his utmost endeavors effectually to prevent the disaffected inhabitants of that state from furnishing the enemy's fleet or army with provisions or supplies of any kind, and if he shall be of opinion that the strength of the well disposed people is not sufficient for the purposes above mentioned, that he inform Congress thereof, and what additional aid it may be necessary to send for effectually preventing the enemy getting supplies from the Delaware state ; and that Mr. Speaker be informed a representation in Congress, from that state, is immediately wanted.

The delegates from New-York produced credentials of their appointment made in assembly and council the 3d of October, 1777, whereby it appears that the honorable Philip Livingston, James Duane, Francis Lewis, William Duer, and Gouverneur Morris, or any two of them, are empowered to represent that state in Congress.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

**SATURDAY, November 15, 1777.**

**A memorial from Edward West, was read :**

**Ordered.** That it be referred to the executive council of Pennsylvania.

*Resolved*, That an extract of general Washington's letter of the 11th inst. relative to clothing, be forthwith sent to the states of Massachusetts-Bay, Connecticut, New-Jersey, Pennsylvania, Maryland, and Virginia, who are requested to send, without delay, to the army under his command, the blankets and other articles of clothing that may be collected, agreeably to a recommendation of Congress of the 16th of October last, to answer the pressing demands of the army previous to the arrival of supplies of clothing expected by Congress; and that duplicate receipts be taken for the same from the clothier-general or his deputies respectively.

A copy of the confederation being made out, and sundry amendments made in the diction, without altering the sense, the same was agreed to, and is as follows:

## ARTICLES OF CONFEDERAT

Between the states of New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, North-Carolina, South-Carolina, and Georgia

**Article 1.** The stile of this conference is "America."

**Art. 2.** Each state retains its sovereignty, every power, jurisdiction, and right, not expressly delegated to the United States.

**Art. 3.** The said states hereby severally with each other for their common and their mutual and general well-being against all force offered to, or on account of religion, sovereignty, t

**Art. 4.** The better to secure and intercourse among the people of the inhabitants of each of these states (justice excepted) shall be entitled to citizens in the several states ; and to ingress and regress to and from all in all the privileges of trade and impositions, and restrictions, as the ded, that such restrictions shall not of property, imported into any state, is an inhabitant ; provided also, that shall be laid by any state on the pr of them.

If any person guilty of, or charged with, any crime or misdemeanor in any state, shall flee from justice, and be found in the United States, he shall, upon demand of the state from which he fled, be arrested, and held to answer the charge, in the court having jurisdiction of his offence.

Full faith and credit shall be given to the public acts, and judicial proceedings of the state.

**Art. 5.** For the more convenient the United States, delegates shall be the legislature of each state shall (Monday in November in every year, recal its delegates, or any of them, at others in their stead for the remainder

No state shall be represented in Congress by less than two, nor by more than seven members ; and no person shall be capable of being a delegate for more than three years in any term of six years ; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or any other for his benefit, receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in any meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States, in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress : and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

*Art. 6.* No state, without the consent of the United States, in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or state ; nor shall any person, holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title, of any kind whatever, from any king, prince, or foreign state ; nor shall the United States, in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance, whatever, between them, without the consent of the United States, in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties entered into by the United States, in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any state, except such number only as shall be deemed necessary by the United States, in Congress assembled, for the defence of such state or its trade ; nor shall any body of forces be kept up by any state, in time of peace, except such number only as, in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state ; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide, and have constantly ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the United States, in Congress assembled, unless such state be actually invaded by enemies, or shall have certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the United States, in Congress assembled, can be consulted ; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States, in Congress assembled, and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States, in Congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States, in Congress assembled, shall determine otherwise.

*Art. 7.* When land-forces are raised by any state for the common defence,

all officers of, or under the rank of colonel, shall be appointed by the legislature of each state respectively, by whom such forces shall be raised, or in such manner as such state shall direct; and all vacancies shall be filled up by the state which first made the appointment.

*Art. 8.* All charges of war and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States, in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States, in Congress assembled, shall, from time to time, direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states, within the time agreed upon by the United States, in Congress assembled.

*Art. 9.* The United States, in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the 6th article; of sending and receiving ambassadors; entering into treaties and alliances, provided that no treaty of commerce shall be made, whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever; of establishing rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes, taken by land or naval forces in the service of the United States, shall be divided or appropriated; of granting letters of marque and reprisal in time of peace; appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining, finally, appeals in all cases of captures; provided, that no member of Congress shall be appointed judge of any of the said courts.

The United States, in Congress assembled, shall also be the last resort on appeal in all disputes and differences now subsisting, or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following: whenever the legislative or executive authority, or lawful agent of any state, in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given, by order of Congress, to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but, if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names, as Congress shall direct, shall, in the presence of Congress, be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges to hear and finally determine the controversy, not less than a major part of the judges who shall hear the cause shall agree on the determination; and if either party shall neglect to attend at the day so appointed, without shewing reasons which Congress shall judge sufficient, or being present, shall refuse to strike, the Congress shall proceed to nominate three persons out of each state, and the secretary of Congress shall strike out the names of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final.

conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall, in like manner, be final and decisive, the judgment or sentence and other proceedings being, in either case, transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided, that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the state where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward:" provided, also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil, claimed under different grants of two or more states, whose jurisdictions, as they may respect such lands and the states which passed such grants, are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States, in Congress assembled, shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states; fixing the standard of weights and measures throughout the United States; regulating the trade and managing all affairs with the Indians not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated; establishing and regulating post-offices from one state to another throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office; appointing all officers of the land forces in the service of the United States, excepting regimental officers; appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States; making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States, in Congress assembled, shall have authority to appoint a committee to sit in the recess of Congress, to be denominated "a committee of the states," and to consist of one delegate from each state, and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction; to appoint one of their number to preside; provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; to borrow money or emit bills on the credit of the United States, transmitting, every half year, to the respective states, an account of the sums of money so borrowed or emitted; to build and equip a navy; to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding; and, thereupon, the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed, and equipped, shall march to the place appointed and within the time agreed on by the United States, in Congress assembled; but if the United States, in Congress assembled, shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota,



and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, clothe, arm, and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped, shall march to the place appointed and within the time agreed on by the United States, in Congress assembled.

The United States, in Congress assembled, shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them: nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine states assent to the same; nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States, in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof, relating to treaties, alliances or military operations, as, in their judgment, require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his, or their request, shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

Art. 10. The committee of the states, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States, in Congress assembled, by the consent of nine states, shall, from time to time, think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which by the articles of confederation, the voice of nine states, in the Congress of the United States assembled, is requisite.

Art. 11. Canada acceding to the measures of the United States, shall be admitted into the ranks of this union; but no other state shall be admitted, unless such admission be agreed to by nine states.

Art. 12. All bills of credit emitted by, or under the authority of Congress, shall be supported by the faith of the United States, in pursuance of the present confederation, and shall not be considered as a charge against the United States, whereof the said United States are pledged.

Art. 13. Every state shall observe the compact between the United States, in Congress assembled, on any bill or resolution submitted to them. And this compact shall be inviolably observed by every state, and no alteration at any time hereafter shall be made in any of the articles hereof, unless by the unanimous consent of the legislatures of the several states, or by a convention of the United States, confirmed by the legislatures of the several states.

These articles shall be proposed to be considered, and if approved

their delegates to ratify the same in the Congress of the United States; which being done, the same shall become conclusive.

*Ordered*, That the committee appointed to revise and arrange the articles of confederation, have 300 copies printed and lodged with the secretary, to be subject to the future orders of Congress.

FOUR O'CLOCK, P. M.

A letter, of the 14th, from G. Bryan, vice-president of the council of Pennsylvania, to the delegates of that state in Congress, together with sundry papers relative to Indian depredations on the western frontiers, was laid before Congress and read.

*Ordered*, That the same be referred to a committee of three; the members chosen, Mr. Roberdeau, Mr. Harvie and Mr. Harnett.

*Ordered*, That Mr. R. H. Lee have leave of absence for the recovery of his health.

*Resolved*, That a committee of three be appointed to collect and digest the late useful discoveries for making molasses and spirits from the juice of corn stalks, and report a plan for communicating the said discoveries to the inhabitants of the several states;

The members chosen, Mr. Gerry, Mr. Law and Mr. Roberdeau.

*Resolved*, That a copy of the letter from J. Bradford, dated Boston, October the 16th, 1777, to the secret committee, be transmitted to the clothier-general, to the quarter-master-general, and to the board of war; that the clothier-general, without delay, appoint a deputy in each state, if he hath not already made such appointments; that the cloth for soldiers' clothing, mentioned in the said letter to be imported into Bedford for account of Congress, be delivered to the clothier-general, or his order; the bales of tents to the quarter-master-general or his order; and that the board of war give directions respecting the arms mentioned in the said letter; that the receipts taken on the delivery, be forthwith transmitted to the committee of commerce; that the clothier-general be directed immediately to give orders to his deputy for the state of Rhode-Island, to receive the said cloth for soldiers' clothing, and procure the making up the same into clothes there or elsewhere, as soon as may be, and to forward them with the utmost despatch to general Washington's army; that the clothier-general, also write to the governor and council of the state of Rhode-Island, requesting them, in case the person appointed by him as his deputy should decline acting, to appoint a suitable person for that purpose, and for forwarding the clothing as above directed; and the said governor and council are requested to make such appointment accordingly, and to give every necessary aid to the above important business.

The committee appointed to consider the applications of foreign officers, &c. report,

That they have had under consideration memorials of chevalier Crenis, Monsieur Dorset, and chevalier de la Colombe, which were referred to them: that although they are sensible of the zeal and good intentions of the chevalier Crenis and Monsieur Dorset in their wishes to serve the United States, yet when they reflect upon the circumstances of the American army, and consider that the number of officers now in commission are greatly disproportionate to the soldiers to be commanded, they cannot venture to recommend the said chevalier Crenis as lieutenant-colonel and Monsieur Dorset as major in the service of the United States, which ranks are respectively desired by the gentlemen aforesaid:

That considering the expenses these gentlemen have incurred, and the inability stated by Monsieur Dorset of returning to his own country, they submit it to the wisdom of Congress, whether it may not be expedient to furnish the necessary aid for this purpose?

That with regard to the chevalier de la Colombe, for whom the marquis de la Fayette requests a captain's commission in the American service, the committee think the same may be granted :

The said report being read, and on the question to agree to the first paragraph, resolved in the affirmative.

The third paragraph being read,

*Resolved*, That a captain's commission be granted to the chevalier de la Colombe.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

**MONDAY, November 17, 1777.**

Mr. Edward Langworthy, and Mr. Joseph Wood, two of the delegates from Georgia, attended and produced the credentials of their appointment, which were read as follows :

" STATE OF GEORGIA. HOUSE OF ASSEMBLY, *Saturday, January 7, 1777.*

"The house proceeded to the choice of continental delegates, when it appeared that the following gentlemen were duly elected, viz. Nathan Brownson, Edward Langworthy, Joseph Wood, Lyman Hall, and George Walton, esqrs.

" A true extract from the minutes,

" JAMES WOOD, JUN. *Cl. H. 1*"

Mr. Dana, a delegate from Massachusetts-Bay, and Mr. Ellery, a delegate from Rhode-Island, attended and took their seats in Congress.

Congress resumed the consideration of the second paragraph in the report of the committee on the applications from foreign officers, &c. and it appearing that Mons. Dorset had arranged himself and obtained the commission of a lieutenant among the officers who accompanied Mr. du Coudray, and who on the 15th of September last, composed themselves into a corps of volunteers under Mr. du Coudray, as a captain in the service of the United States :

*Resolved*, That 200 dollars be presented to Mons. Dorset as a gratification for his services and expenses in America, and that a bill of exchange be drawn in his favor on the commissioners of Congress at the court of France for 900 livres to pay his passage to France and to defray his expenses to Paris.

The board of war brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That the chevalier du Portail be appointed to the rank of brigadier-general, Mons. de Laumoy and Mons. de la Radiere to that of colonel, and Mons. Gouvion to that of lieutenant-colonel, in the army of the United States ; the said gentlemen to be employed as heretofore in the capacity of engineers.

Sundry bills of exchange drawn by colonel Kennon, accompanied with letters of advice of the 14th of April last, from J. Rutledge, president of South-Carolina, were presented to Congress :

*Ordered*, That they be referred to the board of treasury.

*Ordered*, That Mr. Marchant have leave of absence.

The committee appointed to prepare a circular letter to accompany the articles of confederation, brought in the following draught :

**IN CONGRESS, YORK-TOWN, November 17, 1777.**

Congress having agreed upon a plan of confederacy for securing the freedom, sovereignty, and independence of the United States, authentic copies are now transmitted for the consideration of the respective legislatures.

This business, equally intricate and important, has, in its progress, been attended with uncommon embarrassments and delay, which the most anxious

solicitude and persevering diligence could not prevent. To form a permanent union, accommodated to the opinion and wishes of the delegates of so many states, differing in habits, produce, commerce, and internal police, was found to be a work which nothing but time and reflection, conspiring with a disposition to conciliate, could mature and accomplish.

Hardly is it to be expected that any plan, in the variety of provisions essential to our union, should exactly correspond with the maxims and political views of every particular state. Let it be remarked, that, after the most careful enquiry and the fullest information, this is proposed as the best which could be adapted to the circumstances of all; and as that alone which affords any tolerable prospect of general ratification.

Permit us, then, earnestly to recommend these articles to the immediate and dispassionate attention of the legislatures of the respective states. Let them be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a continent divided into so many sovereign and independent communities, under a conviction of the absolute necessity of uniting all our councils and all our strength, to maintain and defend our common liberties: let them be examined with a liberality becoming brethren and fellow-citizens surrounded by the same imminent dangers, contending for the same illustrious prize, and deeply interested in being forever bound and connected together by ties the most intimate and indissoluble; and finally, let them be adjusted with the temper and magnanimity of wise and patriotic legislators, who, while they are concerned for the prosperity of their own more immediate circle, are capable of rising superior to local attachments, when they may be incompatible with the safety, happiness, and glory of the general confederacy.

We have reason to regret the time which has elapsed in preparing this plan for consideration: with additional solicitude we look forward to that which must be necessarily spent before it can be ratified. Every motive loudly calls upon us to hasten its conclusion.

More than any other consideration, it will confound our foreign enemies, defeat the flagitious practices of the disaffected, strengthen and confirm our friends, support our public credit, restore the value of our money, enable us to maintain our fleets and armies, and add weight and respect to our councils at home, and to our treaties abroad.

In short, this salutary measure can no longer be deferred. It seems essential to our very existence as a free people, and without it we may soon be constrained to bid adieu to independence, to liberty and safety; blessings which, from the justness of our cause, and the favor of our Almighty Creator visibly manifested in our protection, we have reason to expect, if, in an humble dependence on his divine providence, we strenuously exert the means which are placed in our power.

To conclude, if the legislature of any state shall not be assembled, Congress recommend to the executive authority to convene it without delay; and to each respective legislature it is recommended to invest its delegates with competent powers ultimately in the name and behalf of the state to subscribe articles of confederation and perpetual union of the United States; and to attend Congress for that purpose on or before the day of

On motion to fill up the blanks with "first" and "May next;"

<i>New-Hampshire</i> , Mr. Folsom,	ay	ay	<i>Connecticut</i> ,	Mr. Dyer,	no
<i>Massachusetts-Bay</i> , Mr. Gerry,	ay			Law,	no
	Lovell,	ay		Williams,	ay
	Dana,	no	<i>New-York</i> ,	Mr. Duane,	no
<i>Rhode-Island</i> , Mr. Marchant,	no		<i>New-Jersey</i> ,	Mr. Elmer,	no
	Ellery	no			

<i>Pennsylvania,</i>	Mr. Roberdeau,	no	} no	<i>N.-Carolina,</i>	Mr. Penn,	no	} no
	Clingan,	no			Harnett,	no	
<i>Maryland,</i>	Mr. Rumsey,	no	} *	<i>S.-Carolina,</i>	Mr. Laurens,	no	} no
<i>Virginia,</i>	Mr. R. H. Lee,	no		<i>Georgia,</i>	Mr. Langworthy,	no	
	F. L. Lee,	no	} no		Wood,	no	} no
	Harvie,	no					

So it passed in the negative.

*Resolved,* That the first blank be filled with "tenth," and the second with "March next."

It was then moved, after "next" to add "if practicable ;"

<i>New-Hampshire,</i>	Mr. Folsom,	ay	} ay	<i>Pennsylvania,</i>	Mr. Roberdeau,	no	} no
<i>Massachusetts-Bay,</i>	Mr. Gerry,	ay			Clingan,	no	
	Lovell,	ay	} ay	<i>Maryland,</i>	Mr. Rumsey,	no	} *
	Dana,	ay		<i>Virginia,</i>	Mr. R. H. Lee,	no	
<i>Rhode-Island,</i>	Mr. Marchant,	no	} no		F. L. Lee,	no	} no
	Ellery,	no			Harvie,	no	
<i>Connecticut,</i>	Mr. Dyer,	no	} no	<i>N.-Carolina,</i>	Mr. Penn,	no	} no
	Law,	no			Harnett,	no	
	Williams,	ay	} *	<i>S.-Carolina,</i>	Mr. Laurens,	no	} no
<i>New-York,</i>	Mr. Duane,	no		<i>Georgia,</i>	Mr. Langworthy,	no	
<i>New-Jersey,</i>	Mr. Elmer,	no	} no		Wood,	no	} no

So it passed in the negative.

The letter being agreed to,

*Ordered,* That thirteen copies be made out, signed by the president, and forwarded to the several states, with copies of the confederation.

FOUR O'CLOCK, P. M.

*Resolved,* That Mr. Dana, Mr. Ellery, and Mr. Wood, be appointed members of the marine committee, in the room of those from their respective states, who are absent or have leave of absence.

*Resolved,* That three members be added to the committee of appeals, in the room of Mr. President, Mr. J. Adams, and Mr. Marchant :

The members chosen, Mr. Harvie, Mr. Dana, and Mr. Ellery.

*Resolved,* That two members be added to the board of war :

The members chosen, Mr. Dana, and Mr. J. B. Smith.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

TUESDAY, November 18, 1777.

A letter, of the 12th, from gen. Mifflin, was read, declaring his acceptance of the appointment which Congress have been pleased to make of him as one of the new board of war.

A letter, of the 2d, from brigadier-general Hand ; one, from Archibald Steel ; and one, of the 1st, from J. Boreman, at Fort-Pitt, to col. G. Mears. one, of the 10th, from gen. Gates, at Albany ; with sundry papers enclosed. one, of the 6th, from Hezekiah Van Orden, with an affidavit enclosed ; and one of the 5th, from the council of safety of New-York : were read :

*Ordered,* That the be referred to govern

The committee on

*Ordered,* That a v the loan-office in the of Lancaster, for 10, use of the army, said

That a warrant iss fice for the state of 20,950 dollars, to en commissioners who b



That 400 dollars be advanced to brigadier-general du Portail, for which he is to be accountable :

That 50 dollars be paid to R. H. Lee, esq. pursuant to an order of P. Henry, esq. governor of Virginia, for transporting the baggage of baron de Kalb from Williamsburg to York-town, and charged to the account of the baron de Kalb :

That 700 dollars be advanced to Mr. Jonathan Elmer, a delegate for the state of New-Jersey, on his request, and charged to the said state.

FOUR O'CLOCK, P. M.

Whereas, Congress is informed that there is now in York-town a certain John Brown, who, after the enemy took possession of Philadelphia, came out of that city, as he says, on private business, and obtained leave from our general to pass into the country ; that, after going through a considerable part of this state, he, the said John Brown, returned to Philadelphia, and is again come out without a flag or pass from any general or officer in the service of the United States, pretending that he is charged with a verbal message to Congress from general Howe ; and whereas such conduct administers just grounds of suspicion that he is employed by the enemy for purposes inimical to these states :

*Resolved*, That the board of war cause the said John Brown to be arrested and sent under guard to the executive council of Pennsylvania, to be dealt with as they, in their wisdom, may deem fit and proper.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, November 19, 1777.

A letter, of the 30th of October, from E. Hancock, deputy pay-master general in the eastern department, with his monthly account ; one, of the 1st instant, from B. Harrison, deputy pay-master general in Virginia, with his monthly account, were read :

*Ordered*, That they be referred to the board of treasury.

A letter, of the 11th, from gen. Sullivan, was read.

*Ordered*, That the letters from Fort-Pitt be referred to the committee on Mr. Vice-president Bryan's letter of the 14th.

*Ordered*, That the return of ordnance, &c. taken from the enemy, which was enclosed in gen. Gates's letter of the 10th, and the letter from the council of safety of New-York, be referred to a committee of three :

The members chosen, Mr. R. H. Lee, Mr. Duer, and Mr. Dana.

That the letter from general Gates, with the other papers enclosed, be referred to the board of war.

Congress being informed that there is a quantity of leather on the way to this town from North-Carolina :

*Ordered*, That the board of war purchase the same, and take measures to have it made into shoes for the use of the army.

Congress having received information, through various channels, that the American soldiers and other inhabitants of the United States of America, whom the fortune of war hath made prisoners to the British army under command of general Howe, are now imprisoned in Philadelphia, and treated with such shocking inhumanity that numbers expire in the prison yard for want of food ; and whereas, such treatment of the American prisoners is not only inconsistent with the practice of civilized nations, but totally the reverse of that humane treatment which the British prisoners have uniformly received in these states :

*Resolved*, That gen. Washington be desired to make strict enquiry into the truth of this information, and to report to Congress, as soon as possible, the result of his enquiries.

The board of war brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That David Poe be appointed quarter-master for the town of Baltimore, in the state of Maryland, in the room of, and for the purpose in which Jared Hopkins, who declines acting, was appointed.

*Resolved*, That the resolution passed the 2d of October last, for sitting twice a day, be repealed, and that, after this day, Congress sit but once a day, and that they meet precisely at ten o'clock.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 300,000 dollars be advanced to the board of war, to be by them forwarded to William Palfrey, esq. pay-master general, who is to be accountable:

That 1000 dollars be advanced to the president to pay expresses and other contingent expenses, for which he is to be accountable; and that an authenticated copy of this order shall be a sufficient voucher to the treasurer for the payment of this sum:

That a duplicate warrant in favor of Jonathan Trumbull, jun. esq. deputy pay-master general in the northern department, issue on the loan-office of the state of Massachusetts-Bay, for 200,000 dollars, to serve in case a warrant for the like sum, in favor of Mr. Trumbull, dated the 16th of October last, in consequence of an order of Congress of the same day, on the other aforesaid, should not be received by him.

#### FOUR O'CLOCK, P. M.

The medical committee brought in a report; Whereupon,

*Resolved*, That the clothier-general be directed to deliver to the director-general of the military hospitals, the deputy directors-general, or their assistants, for the use of the sick and wounded of the several departments, a proportionable share of the blankets, shirts, shoes, and stockings, which he shall, from time to time, procure for the supply of the army:

That the director-general of the hospitals be authorized to cause stores to be erected in the different hospitals, in case he shall think such a measure will conduce to make up for the present scarcity of blankets and clothing, or to the greater comfort of the sick; and that the wagons annexed to the hospital department be employed, as much as possible, in the transportation of fuel for the respective hospitals.

A letter, of the 6th, from major-gen. Mifflin to col. R. H. Lee, on the subject of the quarter-master's department, was read in Congress:

*Ordered*, That it be referred to the new board of war, so soon as they sit, and that they be directed to report a plan for conducting the business of the quarter-master general.

The committee to whom were referred the letter from the vice-president of Pennsylvania, and the letters from Fort Mifflin, brought in a report, which was taken into consideration; and, after discussion,

*Resolved*, That the farther consideration be deferred to-morrow.

The several matters to this day referred to the new board of war,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, 20th

Congress resumed the consideration of the letter from the vice-president of Pennsylvania, which is as follows:

"That an inroad has been made on Pennsylvania, by some savage tribes of people have been cruelly massacred, from their homes and reduced to great

That from a number of papers styled proclamations, under the hand and seal of Henry Hamilton, lieutenant-governor of Fort-Detroit, left by the Indians where they committed their murders, and of which there is one now in the possession of the committee, as well as from other information and circumstances, it appears that these savages have been instigated by British agents and emissaries, and particularly by the said H. Hamilton, to this barbarous and murderous war. The committee apprehend, that so long as that post continues to be garrisoned by British troops who are restrained by no laws of humanity from using every means to accomplish their purpose of subjugating these states, those frontiers will be incessantly exposed to the barbarous ravages of the Indian tribes under their influence. That by means of the said agents and emissaries a dangerous spirit of disaffection has been excited and fomented among some worthless and evil-disposed persons on the said frontiers, who, lost to all sentiments of virtue, honor, or regard for their country, have been induced to aid our remorseless enemy. That the Shawanese and Delaware Indians continue well affected and disposed to reserve the league of peace and amity entered into with us; for which reason they are threatened with an attack by their hostile neighbours who have invaded us, and are at the same time exposed to danger from the attempts of ill-disposed or ill-advised persons among ourselves. The committee are therefore of opinion, that for the safety and security of the frontiers, as well as to preserve the public faith of these United States, lighted to our Indian allies, speedy and effectual measures ought to be taken to suppress the spirit of disaffection among our own deluded people, to repel and put a stop to the hostile invasions of our enemies, to protect our Indian allies, and confirm them in their good disposition, and to remove, if possible, the cause from whence all the evils in that quarter arise; Whereupon, *Resolved*, That three commissioners be appointed to repair, without delay, to Fort-Pitt; that they be instructed to investigate the rise, progress, and extent of the disaffection in that quarter, and take measures for suppressing the same, and bringing the deluded people to a sense of their duty:

That the said commissioners be invested with full powers to suspend for misconduct any officers in the service of the United States employed in that quarter, and appoint others in their room, and to confine, in safe custody, all such officers against whom they shall have satisfactory proof of being offenders against the rights and liberties of America:

That the said commissioners be directed to cultivate the friendship of the Shawanese and Delawares, and prevent our people from committing any outrages against them:

That they be empowered to engage as many of the Delaware and Shawanese warriors in the service of the United States as they judge convenient:

That they be empowered and directed, for effectually checking the progress of the enemy, to concert with brigadier-general Hand a plan for carrying the war into the enemy's country, and cause the same to be executed with all convenient despatch:

And in order to prevent such barbarous incursions for the future, that the said commissioners be empowered to cause the operations of the war to be directed against the British garrison at Detroit and its dependencies, provided the reduction of that fortress can, in their opinion, be effected at this season of the year, and the whole can be accomplished by a force not exceeding 2000 men, exclusive of Indian auxiliaries:

That it be earnestly recommended to the legislative powers of Virginia and Pennsylvania, to invest the commissioners with every necessary authority over their respective militias, to empower them to arrest and commit for trial such of their respective inhabitants on the western frontiers as shall appear to have been concerned in any conspiracy or plot against the United

States; and otherwise to afford the said commissioners such assistance as shall be necessary to prosecute with vigor the measures that they may adopt in consequence of these resolutions.

*Resolved*, That general Washington be requested to send colonel William Crawford to Pittsburg, to take the command, under brigadier-general Hand, of the continental troops and militia in the western department.

The committee appointed to enquire into the conduct of colonel G. Morgan, brought in a report; Whereupon,

*Resolved*, That the case of colonel G. Morgan be included in the business referred to the consideration of the commissioners who are to be appointed for various purposes on the western frontiers: that, in the mean while, col. Morgan be restored to the appointment for Indian affairs, and that he be appointed deputy commissary-general of purchases in the western district.

A letter, of this day, from Alexander Gillon, was read:

*Ordered*, That it be referred to the committee of commerce.

Congress proceeded to the election of commissioners to proceed to Fort Pitt, and the ballots being taken, colonel Samuel Washington, Gabriel Jones, esq. and colonel J. Reed, were declared to be elected.

It was moved, whether colonel J. Reed, being elected by ballot, not being nominated to the office before the balloting was gone into, is elected agreeably to the usage and practice of Congress? *Resolved* in the negative.

Colonel Reed being then nominated, Congress proceeded to a new election, and the ballots being taken, colonel Joseph Reed was elected.

*Resolved*, That the hour of two, P. M. be fixed upon for the time of adjourning.

The several matters to this day referred being postponed,  
Adjourned to ten o'clock to-morrow.

#### FRIDAY, November 21, 1777.

A letter, of the 17th, from gen. Washington, at White-Marsh, with sundry papers enclosed; one, of the 12th, from R. H. Harrison, expressing his obligation to Congress for the honor done him in appointing him a member of the board of war, which, from a sense of his being unequal to the various important duties of the office, he wishes to decline; one, of the 12th, from col. T. Pickering, declaring his acceptance of the appointment to the board of war; and, one of the 11th, from governor Livingston of New-Jersey, were read:

*Ordered*, That the letter from P. Zantzinger to brigadier Wayne, enclosed in gen. Washington's letter, together with such part of the letter as relates thereto, be referred to the board of treasury:

That the letter from gen. Washington, with the other papers enclosed, and the letter from governor Livingston, be referred to the board of war.

A petition from Thomas Moore, with an account enclosed, was read.

*Ordered*, That it be referred to the board of treasury, who are directed to report specially thereon.

A petition from sundry inhabitants of Sharpsburg, and a memorial from sundry officers, prisoners there, also a petition from John Sumner, were read.

*Ordered*, That they be referred to the board of war.

*Resolved*, That Silas Deane, esq. be recalled from the court of France, and that the committee for foreign affairs be directed to take such measures for speedily communicating the pleasure of Congress herein to Deane and the other commissioners of the United States at the court of France.

*Resolved*, That Monday next be assigned for choosing a commissioner to the court of France, in the place of Silas Deane, esq.

The committee to whom were referred the return of ordnance, &c.

from the enemy, and the letter from the council of safety of New-York, brought in a report, which was taken into consideration ; and, after debate,  
*Resolved*, That it be re-committed.

The several matters to this day referred, being postponed,  
 Adjourned to ten o'clock to-morrow.

**SATURDAY, November 22, 1777.**

A letter, of the 21st, from col. G. Morgan, was read : Whereupon,

*Resolved*, That the resolution of Congress of the 15th of October last, directing that no assistant purchasing commissaries be appointed for the western district, be not extended to the temporary appointments of such officers, and that the commissary-general of purchases be directed to authorize the deputy commissary-general of purchases for the said district to make such appointments when he, the said commissary-general, shall judge it necessary.

A letter, of the 21st, from W. Buchanan, commissary-general of purchases, was read :

*Ordered*, That it be referred to a committee of three :

The members chosen, Mr. Duer, Mr. Gerry, and Mr. Roberdeau.

*Ordered*, That the committee attend immediately to this business, and that they confer with gen. Mifflin.

A letter, from Mons. Crenis, was read :

*Ordered*, That the consideration thereof be postponed.

A letter from Charlotte, wife of col. Antil, was read :

*Ordered*, That it be referred to the board of war.

The committee to whom was re-committed their report on the return of ordnance and stores taken from the enemy since the 19th day of September, and the letter from the council of safety of New-York, report,

That there is no mention in the said return of standards, military chest, medicines or tents ; that the quantity of powder is very small, being only 15 barrels grained and 2 barrels mealed, and the quantity of fixed ammunition very inconsiderable ; that the muskets amount only to 4647, a number not equal to the prisoners who surrendered agreeable to the convention of Saratoga, and all these muskets are returned unfit for service ; that there are only 638 cartouch boxes ; that the number of bayonets is greatly inferior to the muskets, and these, as well as the cutlasses, are returned " without scabbards" or belts ; in short, the whole return seems very inadequate to a well appointed army and to what might be expected from the answers returned by lieutenant-general Burgoyne to the first propositions made by major-general Gates : the committee, therefore, are of opinion, that an enquiry ought to be made into the causes of this deficiency : Whereupon,

*Resolved*, That the president immediately send an express to gen. Gates, and desire answers to the following questions, viz.

What is become of the standards belonging to the respective regiments in gen. Burgoyne's army ?

Where is the military chest, and the medicines ?

What is become of the cartouch boxes ?

How comes the quantity of powder and cartridges to be so small ?

How comes it that the number of muskets is less than that of the prisoners, and that all the muskets are unfit for service ?

How comes the number of bayonets to be so greatly inferior to that of the muskets ?

Where are the scabbards and belts of the bayonets and cutlasses ?

Was there any destruction, waste, removal or concealment of the arms, tents, colours, treasure, or other military stores, belonging to gen. Burgoyne's army, from the time the first proposal was made, on the 13th day of October, to the time of the surrender ?



What was the state and condition of the arms and military stores wh received by gen. Gates?

Were the arms piled agreeably to the articles of convention? If they were not, did any damage necessarily accrue in consequence of the failure?

And that gen. Gates be directed to make the necessary enquiries and return his answers to Congress as soon as possible.

*Resolved*, That it is not to be understood that the embarkation of the troops under lieutenant-general Burgoyne is in any wise to be delayed on account of the foregoing queries if transports arrive before the answers are returned and the enquiry directed is finished.

On considering the foregoing report, a motion was made,

That a committee of            be appointed to repair immediately to Albany to confer with general Gates on every particular respecting the execution of the convention of Saratoga on the part of general Burgoyne, and that as the basis of their joint enquiries the following points be particularly recommended; and then the questions to follow:

<i>New-Hampshire</i> , Mr. Folsom,	no	no	<i>Maryland</i> ,	Mr. Smith,	no	no
<i>Massa'ette-Bay</i> Mr. Lovell,	no	no		Rumsey,	no	no
	Dana,	no		Mr. R. H. Lee,	no	no
<i>Rhode-Island</i> , Mr. Ellery,	no	no	<i>Virginia</i> ,	F. L. Lee,	no	no
<i>Connecticut</i> , Mr. Law,	no	no		Harvie,	no	no
	Williams,	no		Mr. Penn,	ay	no
<i>New-York</i> , Mr. Duer,	ay	no	<i>N.-Carolina</i> ,	Harnett,	no	no
<i>Pennsylvania</i> , Mr. Roberdeau,	no	no	<i>S.-Carolina</i> ,	Mr. Laurens,	no	no
	Clingan,	no	<i>Georgia</i> ,	Mr Langworthy,	no	no

So it passed in the negative.

Another motion was made, after the words "and return his answers to Congress as soon as possible," to add the following paragraph: "And whereas it is probable that sufficient evidence cannot be obtained in Albany touching the premises; resolved, that major-general Heath be directed to collect all the evidence he can possibly procure concerning the state of the arms, tents, standards, treasure, medicines, and other military-stores belonging to general Burgoyne's army, before proposals were made for entering into a convention, and whether there was any destruction, waste, concealment or removal of any of the above articles from the time when general Burgoyne's first proposal was made on the 13th Octol that he transmit to Congress, with all authenticated, the evidence which he may a

A previous question was called for, w

<i>N.-Hampshire</i> , Mr. Folsom,	no	no	<i>Mr</i>
<i>Massa'ette-Bay</i> , Mr. Lovell,	no	no	
	Dana,	no	<i>Vir</i>
<i>Rhode-Island</i> , Mr. Ellery,	no	no	
<i>Connecticut</i> , Mr. Law,	no	no	
	Williams,	no	<i>N.-</i>
<i>New-York</i> , Mr. Duer,	ay	no	
<i>Pennsylvania</i> , Mr. Roberdeau,	no	no	<i>S.-1</i>
	Clingan,	no	<i>Gen</i>

So it passed in the negative.

Congress having received information United States of America have endeavor groundless reports, that a treaty had been commissioners of the king of Great-Britain reconciliation would take place:

Be it declared and resolved, That the States at the several courts in Europe b courts at which they respectively reside, held between the king of Great-Britain o said United States since their declaration

And whereas, the cause of these United States may be greatly endangered, unless such of the European powers as regard the rights of mankind should interpose to prevent the ungenerous combination of other powers against the liberties of the said states :

*Resolved*, That the commissioners of the United States at the several courts in Europe be directed to apply to the respective courts, and request their immediate assistance for preventing a farther embarkation of foreign troops to America, and also to urge the necessity of their acknowledging the independence of these states.

*Resolved*, That all proposals for a treaty between the king of Great-Britain, or any of his commissioners, and the United States of America, inconsistent with the independence of the said states, or with such treaties or alliances as may be formed under their authority, will be rejected by Congress.

*Resolved*, That the commissioners of the United States be severally directed to communicate to the respective courts the purport of their first and second resolutions when they think it expedient, and to suspend the last until upon a general consultation of the commissioners a majority shall judge it necessary.

Congress resumed the consideration of the report from the board of treasury of the 19th ; Whereupon,

*Resolved*, That the pay of Jonathan Trumbull, jun. esq. deputy pay-master-general of the northern department, be augmented to 125 dollars per month :

That the sum of 150 dollars be allowed to Jonathan Trumbull, jun. esq. deputy pay-master-general of the northern department, for his past extraordinary services.

*Resolved*, That the former board of war be authorized to proceed on the business of that department till such time as a sufficient number of the commissioners of the war office shall attend.

The committee to whom were referred the letter from the hon. Stephen Hopkins, and the proceedings of the committees from New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut and New-York, and for other purposes mentioned in a resolution of Congress of the 10th of September last, brought in a report, which was taken into consideration ; and, thereupon, Congress came to the following resolutions :

Pursued by the injustice and the vengeance of Great-Britain, these United States have been compelled to engage in a bloody and expensive war. Amidst every distress that may befall them, it will be their consolation to appeal to Heaven for the rectitude of their measures ; since they have had recourse to arms, not from ambition or the lust of power, but to resist actual invasion and boundless rapine, and to secure the common rights and privileges of human nature—the blessings of freedom and safety.

Aided by venal foreigners and domestic traitors, the war has been prosecuted by our implacable foes with their utmost force and vigor, and aggravated by more than savage barbarity.

Congress, nevertheless, supported by the confidence of their fellow-citizens, without burthening them with taxes or pecuniary contributions, have hitherto raised all the necessary supplies on the public faith.

To maintain our fleets and armies, large sums have been emitted in bills of credit, and the same method has been embraced by the respective states to answer their internal wants. By these expedients, our paper currency, notwithstanding the solid basis on which it is founded, is multiplied beyond the rules of good policy. No truth being more evident, than that where the quantity of money of any denomination exceeds what is useful as a medium of commerce, its comparative value must be proportionably reduced. To this cause, conspiring with the arts of our open and secret enemies, the shameful

avidity of too many of our professed friends, and the scarcity of foreign commodities are we to ascribe the depreciation of our currency : the consequences to be apprehended are equally obvious and alarming. They tend to the depravity of morals, the decay of public virtue, a precarious supply for the war, debasement of the public faith, injustice to individuals, and the destruction of the honor, safety, and independence of the United States. Loudly, therefore, are we called upon to provide a seasonable and effectual remedy. Blessed be God, they are not irremediable. The means of repressing them are still in our power. Let the virtuous patriots of America reflect on the inestimable value of the prize for which we are contending. Hitherto spared from taxes, let them now with a cheerful heart contribute according to their circumstances. Let the sordid wretches, who shrink from danger and personal service, and meanly prefer their own inglorious ease and emolument to the good of their country, be despised, and their ill-gotten wealth be abhorred as a disgrace. Let the extortioners and oppressors be punished; the secret traitor dragged to light; the necessities of the army attended to and relieved; and the quantity of money in circulation be reduced; and we shall soon see the public credit fully established, and with the continuance of the divine favor, a glorious termination of the present arduous conflict.

To promote these great and salutary purposes, Congress, upon mature deliberation and with the most earnest solicitude, recommend the following propositions to the legislatures of the respective states, to be immediately adopted and carried into effect:

1. *Resolved*, That it be most earnestly recommended to the respective states to raise in the course of the year 1778, commencing on the first day of January next, by quarterly payments, the sum of five millions of dollars, by taxes, to be levied on the inhabitants of the respective states, in the proportions following, viz.

New Hampshire	200,000 dollars,	Delaware	60,000 dollars,
Massachusetts-Bay	820,000	Maryland	520,000
Rhode-Island & Providence		Virginia	800,000
Plantations	100,000	North-Carolina	250,000
Connecticut	600,000	South-Carolina	500,000
New-York	200,000	Georgia	60,000
New-Jersey	270,000		
Pennsylvania	620,000		5,000,000

That the sums to be assessed and to be raised shall not be considered as the proportion of any state, but being paid into the treasury shall be placed to their respective credit, bearing an interest of six per centum per annum, from the time of payment until the quotas shall be finally ascertained and adjusted by the Congress of the United States, agreeably to the confederation hereafter to be adopted and ratified by the several states. And if it shall then appear that any state is assessed more than its just quota of the said tax, it shall continue to receive interest on the surplus, and if less it shall be charged with the interest on the deficiency, until by a future tax such surplus or deficiency shall be properly adjusted.

2. *Resolved*, That it be earnestly recommended to the legislatures of the several states to refrain from further emissions of bills of credit, and where there is a sufficient quantity of continental bills of credit for the purpose of a circulating medium, forthwith to call in by loans or taxes and to cancel the paper money, small bills for change under a dollar excepted, which such state has already emitted; and, for the future, to provide for the exigencies of war, and the support of government by taxes to be levied within the year, or such other expedient as may produce a competent supply.

3. And whereas the obstruction of the course of justice in any state may not only prove injurious to its citizens, but also to the circulation and credit of the currency of such state and of the United States:

*Resolved, therefore,* That it be recommended to the several states, forthwith to take effectual care that justice be duly administered within their respective jurisdictions, as well for the recovery of debts as for the punishment of crimes and misdemeanors ; provided, that no suit or action shall be maintainable for the benefit of the enemies of these United States.

4. And whereas signal advantages have arisen from the establishment of continental loan-offices, on which Congress continue to place great dependence ; in order, therefore, as far as it is practicable, to ascertain the supplies for the war which may be raised in the several states upon loan-office certificates ;

*Resolved,* That it be recommended to the legislatures, or, in the recess of any of them, to the executive authority of the respective states, to cause subscriptions to be opened under the inspection of one or more respectable citizens within each town or district, specifying the names of the lenders, and the sums they are willing to lend, and that a copy of such subscription paper shall, from time to time, be delivered to the respective commissioners of the said loan-offices, and by them transmitted to Congress ; provided, that no certificate shall issue for less than 200 dollars.

5. *Resolved,* That it be recommended to the legislatures, or, in their recess, to the executive powers of the respective states of New-Hampshire, Massachusetts-Bay, Rhode-Island, and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, and Delaware, respectively, to appoint commissioners to convene at New-Haven, in Connecticut, on the 15th day of January next ; and to the states of Virginia, Maryland, and North-Carolina, respectively, to appoint commissioners to convene at Fredericksburg, in Virginia, on the said 15th day of January ; and to the states of South-Carolina and Georgia, respectively, to appoint commissioners to convene at Charleston, on the 15th day of February next ; in order to regulate and ascertain the price of labor, manufactures, internal produce, and commodities imported from foreign parts, military stores excepted ; and also to regulate the charges of inn-holders ; and that, on the report of the commissioners, each of the respective legislatures enact suitable laws, as well for enforcing the observance of such of the regulations as they shall ratify, and enabling such inn-holders to obtain the necessary supplies, as to authorize the purchasing commissaries for the army, or any other person whom the legislatures may think proper, to take from any engrossers, forestallers, or other person possessed of a larger quantity of any such commodities or provisions than shall be competent for the private annual consumption of their families, and who shall refuse to sell the surplus at the prices to be ascertained as aforesaid, paying only such price for the same.

6. And in order to introduce immediate economy in the public expense, the spirit of sharpening and extortion, and the rapid and excessive rise of every commodity being confined within no bounds ; and considering how much time must unavoidably elapse before the plan directed by the preceding resolution can be carried into effect,

*Resolved,* That it be earnestly recommended to the respective legislatures of the United States, without delay, by their separate authority, to adopt and effectually enforce a temporary regulation of the prices of provisions and other commodities for the supply of the army, in such manner as they shall judge reasonable ; and to continue in force until the general regulation before proposed shall be adopted.

*Resolved,* That the further consideration of the report be postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

MONDAY, November 24, 1777.

A letter, of the 9th, from brigadier-gen. Hand, at Fort-Pitt, to the secretary of the board of war; one of the 11th, from col. Mason, at Williamburgh; one from brigadier de Roche Fermoy, with sundry papers enclosed; two from brigadier Conway, one of the 15th, enclosing his commission, which he begs leave to resign, the other directed to C. Carroll, esq. or, in his absence, to the secretary of Congress, were read:

*Ordered*, That they be referred to the board of war.

A letter from Plesson Bowdoin, enclosing a bill of exchange drawn by W. Kennon, with a letter of advice from J. Rutledge, esq. president of South Carolina, was read:

*Ordered*, That it be referred to the board of treasury.

The board of war report, that they have had a conference with gen. Mifflin on the late establishment made by Congress for conducting the war department, and are unanimously of opinion, that a sufficient number of commissioners have not been appointed for giving due weight to the execution of the regulations which may be recommended by the board, and adopted by Congress, and particularly for enabling one of the board of commissioners to visit, from time to time, the different armies, posts, or garrisons, in order to see that the regulations adopted by Congress are carried into execution, and to examine what are the wants of the army, and what defects or abuses prevail, from time to time, in the different departments; Whereupon,

*Resolved*, That two additional commissioners be appointed to execute the department of the war office, in pursuance of the resolution of the 17th of October last, and that any three of the said commissioners have full power to transact business, any thing in the former resolutions respecting the board to the contrary notwithstanding.

The committee to whom was referred a letter from William Bochenon, esq. commissary-general of purchases, dated York-town, November the 21st, 1777, report:

That upon conferring with the commissary-general upon the supplies of flour for the army in the middle district, he informed the committee, that he knew of no other magazines established for this purpose than those at Lancaster and York-town; that he therein, but supposed the former; that to transport these to the camp employed to procure as many magazines would soon be exhausted, at 800 barrels a day; that if by so employed in this business were it want bread; that he knew not what taken place in Pennsylvania from out their wheat, or from the want militia for reinforcing the army; present supplies of beef for the army and he had no expectation of immen districts; that he had employed pork, but that he was not able number by these means would be gaged, as the season was not arrived inform the committee what, or what governor and council of safety of Massachusetts Bay, to send salt to the Congress, of the 22d of October last River, he did not know where to as some that he had sent to camp



ployed in the army: from all which circumstances the committee apprehend that the present prospect of supplies of provisions for the army in this district is very precarious, and, unless more effectual measures are speedily adopted, disagreeable consequences must necessarily follow. They are, therefore, of opinion, that the immediate attention of Congress to this business is necessary; and, to remedy the present inconveniences, have recommended to the commissary the advice of general Mifflin, namely, "to proceed to head-quarters, and hire 12 or more mills within six miles of, and covered by the army, to purchase or impress wheat in the sheaf, if the farmers cannot be prevailed on to thresh for the troops; to solicit the general to spare 150 men from the army for that purpose, and set the mills to work." By these means, a present supply may be obtained, which bad weather cannot prevent, and time will be gained for establishing at Pottsgrove, Reading, Lancaster, &c. magazines of flour for three months, in which time the new board of war will probably take up the business, and give proper orders for the supplies of the next campaign.

The committee farther report, "That the commissary-general was gone to camp on this business, and that they have recommended to him, on his way, to apply to the executive council or assembly of Pennsylvania for such assistance as shall be necessary: all which they submit to Congress:" Whereupon,

*Resolved*, That Congress concur with the committee, and approve the advice given and the measures taken for the supply of the army.

*Resolved*, That a committee of five be appointed, to devise ways and means for providing a sufficient supply of provisions for the army: the members chosen, Mr. Gerry, Mr. Roberdeau, Mr. Dyer, Mr. Harvie, and Mr. Smith.

The committee appointed to prepare a plan for establishing a board to superintend the departments of the commissaries and quarter-master general, report,

That as a board of war, consisting of persons not members of Congress, has been lately established, and the late quarter-master general is a member thereof, the committee are of opinion, that a considerable expense may be saved by adding to the board a person acquainted with the commissarial business, and authorizing it to superintend each of the civil departments of the army: Whereupon,

*Resolved*, That Congress concur with the committee.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, November 25, 1777.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 1000 dollars be advanced by the auditor-general to Nathaniel Folsom, esq. delegate from New-Hampshire, on his application; the said state to be accountable:

That 120 dollars be advanced by the auditor-general to the chevalier de la Colombe, a captain in the army; he to be accountable:

That 4929 60-90 dollars be paid by the auditor-general to Winslow and Ingraham, for a quantity of leather purchased of them by William Henry, for public service; Mr. Henry to be accountable.

The commissioners for building ships of war in Virginia, having represented to the marine committee the necessity of a guard being provided for the protection of the continental frigates now on the stocks in that state against the efforts of the enemy's ships of war, five of which lie frequently within ten miles of the yard, where the frigates are building, and the committee having taken the same into consideration, brought in a report, which was read; and thereupon,

*Resolved*, That the governor and council of Virginia be requested to provide such a guard, from time to time, at the continental expense, as may be deemed necessary by the said commissioners, upon consideration of circumstances, for the protection aforesaid; and also to furnish the said commissioners with arms and ammunition sufficient to enable the men working in the yard, to assist the guard in repelling any attempt that may be made by the enemy for the destruction of the frigates aforesaid.

*Resolved*, That the commissioners aforesaid be authorized to prepare a few fire-rafts for the better security of the said frigates, it being represented by the commissioners that such rafts may be of considerable service, and cost at no great expense.

*Resolved*, That for the purposes of laying in provisions, and other expenses of the said yard, an order be drawn on the loan-office for the state of Virginia, in favor of the marine committee, or their order, for 10,000 dollars, to be remitted to the commissioners aforesaid.

The board of war brought in a report: Whereupon,

*Resolved*, That general Washington be directed to publish in general orders, that Congress will speedily take into consideration, the merits of such officers as have distinguished themselves by their intrepidity and their attention to the health and discipline of their men; and adopt such regulations as shall tend to introduce order and good discipline into the army, and to render the situation of the officers and soldiers, with respect to clothing and other necessaries, more eligible than it has hitherto been.

*Resolved*, That governor Caswell be desired to appoint proper persons within the state of North-Carolina, to purchase, with secrecy and dispatch, all the merchantable leather and deer-skins in that state proper for making shoes, breeches, saddles, harness, and military accoutrements: that he be desired to detain so much thereof as can be manufactured into shoes and breeches within the space of four months, sending on to the clothier-general, at Lancaster, in Pennsylvania, the shoes and breeches which may be made, from time to time, and delivering the residue of the said leather and skins to the order of the board of war:

That he be authorized to draw on the treasury for such sums as shall be necessary for the execution of this business, and transmit the accounts of the prices given, and quantities purchased, to the board of war and clothier-general.

A petition from John Simpser was read, setting forth, "that his brother Thomas Simpser of Cecil county, in the state of Maryland, was taken into custody at the Head of Elk, in the said county, about the first week of September last, on suspicion of having dealt with the English army there, and carried to the American army, then in the Delaware state, put in the provost guard, and sent from place to place, and is now confined in the gaol, in the state of Pennsylvania, in order to Cecil county, in order  
Whereupon,

*Ordered*, That the said petition be directed to give order in the state of Maryland, to that state; the prisoner to be

*Resolved*, That a committee be appointed to consider the department of the such regulations as they may see fit for the execution of that office.

The members chosen, Mr. Duer and Mr. Duer.

The committee on the tre

**Ordered,** That 78 dollars be paid to Jean Baptist Mourgens, late a lieutenant in colonel Livingston's regiment raised in Canada, as a recompence for his extraordinary services in Canada, performed by desire of general Sullivan, and for his expenses in performing the said services.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**WEDNESDAY, November 26, 1777.**

The board of war brought in a report; Whereupon,

**Resolved,** That it be recommended to the commonwealth of Virginia, to appoint proper persons to re-inlist the soldiers of their first nine regiments, whose times of service are near expiring, and, in failure thereof, to take some speedy and effectual course of supplying their places in the continental army; and Congress agree to allow the men inlisting for the war, or three years, the usual bounty given to such recruits.

**Resolved,** That Monsieur Fleury, in consideration of the disinterested gallantry which he has manifested in the service of the United States, be promoted to the rank of lieutenant-colonel in the army.

The committee on the treasury brought in a report; Whereupon,

**Ordered,** That a warrant issue on Thomas Smith, esq. commissioner of the loan-office, in the state of Pennsylvania, in favor of colonel Isaac Melchior, barrack-master, for 10,000 dollars, for the purchase of wood, candles, straw, &c. for the use of the barracks; the said Isaac Melchior to be accountable.

**Ordered,** That 1000 dollars be paid by John Gibson, esqr. auditor-general, to the delegates of the state of Connecticut, the same being advanced to that state on the application of Mr. Williams and Mr. Law, two of its delegates; the state to be accountable:

That 35 48-90 dollars be paid by John Gibson, esq. auditor-general, to Thomas Hains and Frederick Severs, invalid soldiers, late belonging to the invalid regiment, discharged at their own request, for two months' and twenty-four days' pay due to each of them, as appears by colonel L. Nicola's certificates; the said colonel Nicola to be accountable.

Congress resumed the consideration of the report from the committee on the letter from S. Hopkins, esq. &c. when the seventh article was agreed to as follows:

7th. And whereas, notwithstanding the large quantities of clothing which have seasonably been ordered from Europe for the armies of the United States, such have been the obstructions, from a variety of causes, that an adequate supply hath not been imported, and it is become necessary that immediate provisions should be made to defend the troops from the inclemency of the winter, and to prevent future disappointments of the like nature, and that, for this purpose, the several states should be called upon for assistance.

**Resolved,** therefore, That it be earnestly recommended to the several states, from time to time to exert their utmost endeavors to procure, in addition to the allowances of clothing; heretofore made by Congress, supplies of blankets, shoes, stockings, shirts, and other clothing for the comfortable subsistence of the officers and soldiers of their respective battalions; and to appoint one or more persons to dispose of such articles to the said officers and soldiers in such proportions as the general officers, from the respective states, commanding in such army, shall direct, and at such reasonable prices as shall be assessed by the clothier-general or his deputy, and be in just proportion to the wages of the officers and soldiers, charging the surplus of the cost to the United States: and all clothing hereafter to be supplied to the officers and soldiers of the continental army out of the public stores of the United States, beyond the bounties already granted, shall be charged at

the like prices ; the surplus to be defrayed by the United States ; provided that effectual measures be adopted by each state for preventing any competition between their purchasing agents and the clothier-general or his agents, who are severally directed to observe the instructions of the respective states relative to the prices of clothing purchased within such state :” on the question to agree to this part of the report,

<i>New-Hampshire</i> , Mr. Folsom,	ay	ay	<i>Maryland</i> ,	Mr. Smith	ay	ay
<i>Massachusetts-Bay</i> , Mr. Gerry,	ay			Rumsey,	ay	
	Lovell,	ay	ay	Mr. Jones,	ay	
	Dana,	ay		R. M. Lee,	ay	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	ay		F. L. Lee,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	ay			Harvie,	ay	
	Law,	ay	ay	<i>N.-Carolina</i> , Mr. Penn,	ay	ay
	Williams,	ay		Harnett,	ay	ay
<i>New-York</i> Mr. Duane,	ay	div.	<i>S.-Carolina</i> , Mr. Laurens,	ay	ay	
	Duer,	ay	<i>Georgia</i> , Mr. Langworthy,	ay	ay	ay
<i>Pennsylvania</i> , Mr. Roberdeau,	ay	ay		Wood	ay	ay
	Clingan,	ay				

So it was resolved in the affirmative.

*Resolved*, That the further consideration of the report be postponed to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, November 27, 1777.

A letter, of the 23d, from gen. Washington, enclosing copies of letters that passed between him and gen. Howe, relative to the exchange and treatment of prisoners, and also extracts of sundry sentences of courts-martial against officers, was read.

Congress resumed the consideration of the report of the committee on the letter from S. Hopkins, esq. &c. Whereupon,

*Resolved*, That it be earnestly recommended to the several states, as soon as may be, to confiscate and make sale of all the real and personal estate therein, of such of their inhabitants and other persons who have forfeited the same, and the right to the protection of their respective, and to invest the money arising from the sales in continental loan-office certificates, to be appropriated in such manner as the respective states shall hereafter direct.

Congress resumed the consideration of the reports and resolutions respecting the new board of war and col. Harrison's letter ; Whereupon,

*Resolved*, That the wish of col. Harrison be complied with, and that he be excused from serving as a member of the board of war, and that another be elected in his stead.

Congress then proceeded to the election of three commissioners for the board of war ; and the ballots being taken.

Major-general Gates, elected.

*Resolved*, That major of war.

*Resolved*, That Mr. P. pointed president of the sense Congress entertain charge the duties of that the success of the American general Gates that it is the major-general in the army, occasion may require : ti with all convenient despa

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

FRIDAY, November 28, 1777.

A letter, of the 7th, from T. M'Kean to col. J. Reed, was laid before Congress and read :

*Ordered*, That it be referred to the board of war, and that they take such measures as they judge proper in consequence of the intelligence contained therein.

*Resolved*, unanimously, That a committee of three be appointed forthwith to repair to the army, and, in a private confidential consultation with general Washington, to consider of the best and most practicable means for carrying on a winter's campaign with vigor and success, an object which Congress have much at heart, and on such consultation, with the concurrence of general Washington, to direct every measure which circumstances may require for promoting the public service :

The members chosen, Mr. R. Morris, Mr. Gerry, and Mr. Jones.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 3080 72-90 dollars be paid by John Gibson, esq. auditor-general to the committee of commerce ; the said committee to be accountable :

That the following warrants issue on Thomas Smith, esq. commissioner of the loan-office for the state of Pennsylvania, viz.

One in favor of James Paxton, assistant-commissary of issues, for 2000 dollars, which sum was advanced him by Mr. Smith, September 19th ; Charles Stewart, esq. commissary-general of issues, to be accountable :

One in favor of Michael Hillegas, esq. continental treasurer, for 60,000 dollars, being so much put into his hands by Mr. Smith, the 16th of October last ; the said Michael Hillegas to be accountable :

One in favor of Blair M'Clenaghan, for 16,400 dollars, to discharge an order of the continental navy-board on William Alricks, their cashier, dated September the 3d, for the payment of two ships purchased of the said B. M'Clenaghan ; the navy-board to be accountable :

One in favor of John Gibson, esq. auditor-general, for 49,566 60-90 dollars, which sum the said T. Smith advanced at sundry times, on a warrant of Congress of the 14th of September last, drawn on Mr. Gibson, in favor of the executive council of the state of Pennsylvania ; the said J. Gibson to be accountable.

*Ordered*, That 270 dollars be paid by John Gibson, esq. auditor-general, to the delegates of the state of Georgia, for the use of the said state, and be considered as a part of the 800,000 dollars ordered to that state.

*Ordered*, That warrants issue on John Gibson, esq. auditor-general, for the following sums, viz.

One, in favor of the board of war, for 6,000 dollars, advanced by him to the said board, the 28th September last, for the use of the Virginia militia, then on their march to join general Washington ; the said board to be accountable.

One in favor of major William Roberts, for 810 dollars, advanced the 1st of October, by the auditor-general, for the use of the Culpepper militia, from the state of Virginia, then on their march to join gen. Washington ; the said major Roberts to be accountable.

One, in favor of Charles Thomson, esq. for 57 6.90 dollars, for the pay due to W. H. Houston, late deputy secretary of Congress, from the 1st to the 23d of September, and for portage of papers of Congress, casks, &c.

One, in favor of Joseph Nourse, deputy secretary to the board of war, for his salary from the 10th of May, to the 10th of November, 1777, for 390 dollars :

One, in favor of William Govett, assistant-auditor, for 161 70.90 dollars,



for sundry expenses with two wagons and the hire of one to York-town, with the treasury books, papers, money, &c. from Philadelphia to Bristol, and round by Reading to Lancaster, with his expenses from Lancaster to Reading, and from thence to York-town, by order of Congress, with the wagons that had the public papers, and his expenses from Philadelphia to Bristol, by order of the board, for money, and for sundry contingent expenses at Baltimore last winter.

*Ordered,* That a warrant issue on the treasurer in favor of William Buchanan, esq, commissary-general of purchases, for 13,333 30.90 dollars, for an advance made by the treasurer to colonel John Patten, deputy commissary of purchases at Reading the 25th of September last.

*Ordered,* That 375 dollars be advanced to brigadier-general de Roche Fermoy, for three months' pay; he to be accountable.

*Ordered,* That there be paid to captain Peter Babb, or his order, 887 44.90 dollars, in full of his pay-roll of a company of militia from Frederick county, Virginia, sent to relieve the soldiers of the 12th Virginia regiment, garrisoned at Fort-Pitt, from the 3d of April to the 3d of June following, inclusive, the warrant to issue on the auditor-general.

*Ordered,* That a warrant issue in favor of the board of war, for 300,000 dollars, to be by them transmitted to William Palfrey, esq. pay-master general; he to be accountable.

*Resolved,* That the salary of William Govett, assistant auditor-general, be augmented, and that henceforth he be allowed the same pay as a commissioner for auditing accounts.

Congress proceeded to the election of a commissioner in the room of Silas Deane, esq. and, the ballots being taken, John Adams, esq. a delegate in Congress from Massachusetts-Bay, was elected.

*Resolved,* That William Carmichael, esq. be appointed secretary to the commissioners at the court of France.

*Resolved,* That an enquiry be made into the causes of the evacuation of Fort-Mercer, on the river Delaware, and into the conduct of the principal officers commanding that garrison; and that a committee be appointed to report the mode of conducting the enquiry.

*Resolved,* That an immediate enquiry be made into the causes of the failure of the late expedition against Rhode-Island, and into the conduct of the principal officers conducting such expedition; and that a committee be appointed to report the mode of conducting such enquiry.

*Resolved,* That an enquiry be made into the loss of forts Montgomery and Clinton, in the state of New-York; and of Fort-Mifflin, on the river Delaware, in the state of Pennsylvania, and into the conduct of the principal officers commanding those forts; and that general Washington be directed to cause this enquiry to be made, and to transmit the proceedings of the court to Congress with all possible despatch.

*Resolved,* That whenever any expedition which may be undertaken either by sea or land, by order, or at the expense of the United States, shall fail in the execution; or whenever any important post, fort, or fortress, garrisoned and defended at the expense of the United States, shall be evacuated, or taken by the enemy, it be an established rule in Congress to institute an enquiry into the causes of the failure of such expedition, or into the loss of such post, fort, or fortress, and into the conduct of the principal officer or officers conducting the expedition so failing, or commanding the post, fort, or fortress so evacuated or taken by the enemy; the enquiry so instituted, to be conducted in such manner as Congress shall deem best adapted for the investigation of truth in the respective cases.

*Resolved,* That the committee for conducting the enquiry into the causes of the evacuation of Fort-Mercer, and the failure of the expedition against

Rhode-Island, consist of three : the members chosen, Mr. Duer, Mr. Dana, and Mr. F. L. Lee.

The committee appointed to devise ways and means for providing a sufficient supply of provisions for the army, brought in a report, which was read ; Whereupon,

*Resolved*, That a committee be appointed to repair forthwith to Lancaster, to confer with the general assembly of the state of Pennsylvania on the best means of providing immediate supplies, and of establishing sufficient magazines of flour and pork for the army in this department ; that they represent to the assembly the necessity of obtaining flour and pork barrels, and teams to transport salt from the North-River, and report thereon as soon as may be.

*Resolved*, That a copy of the resolution of Congress of the 22d of October and 3d of November, relative to the commissary's department, be transmitted to his excellency the governor and council of safety of the state of Connecticut, who are requested to order the salt to be sent from the eastern to the middle district agreeable to the resolution first mentioned, to such parts of the North-River, and to the care of such officer or person there as they shall judge expedient, and inform Congress or the commissary-general of purchases thereof ; and the governor and council aforesaid are farther requested to take effectual measures for sending immediate supplies of cattle to the army in the middle district, and to the prisoners quartered near Boston ; and to this purpose they are fully authorized to superintend the deputy commissaries-general of purchases and issues, and their respective deputies or assistants in the eastern and northern districts, and to remove and appoint others in the room of such as shall refuse or neglect to comply with their directions.

*Resolved*, That general Heath be directed to take effectual care that fresh provisions be issued to the prisoners in the eastern district, and that the salt provisions be reserved for the army of the United States for the next campaign.

*Resolved*, That general Washington be directed to apply to general Howe for passports to convey provisions and wood to the British and German troops, quartered, agreeably to the convention of Saratoga, in the neighbourhood of Boston, and that he send such passports by express to gen. Heath.

*Resolved*, That the commissary-general of issues be directed to preserve the flour-barrels of the army, and send them by the return wagons to the mills from whence supplies of flour may be sent to the army ; that he save the pork and beef barrels, and as much of the salt therein as can be collected, and that for this purpose he employ a suitable number of coopers, and inform Congress of his proceedings therein.

*Resolved*, That the committee to repair to Lancaster consist of three ; the members chosen, Mr. Roberdeau, Mr. Dyer, and Mr. Penn.

The committee of commerce, to whom was referred the proposals of Alexander Gillon, esq. contained in his letter of the 20th inst. report,

That they have conferred with Mr. Gillon on the subject, and are of opinion, that a sum of money not exceeding 250,000 dollars should be advanced to the said Alexander Gillon, esq. or his attorney, annually for three years, if the war with Great-Britain shall continue so long ; the said advances to be made by this committee, or such other as may hereafter be appointed to superintend the continental commerce, in such sums and at such periods as may be necessary for accomplishing purchases of suitable produce or other articles to be remitted to Europe :

That the said Alexander Gillon, esq. or his attorneys, shall purchase all the remittances they make, and charter or purchase ships suitable for transporting the same to Europe, on the best and most frugal terms in their power, and under such orders, restrictions, and limitations, as they may, from time to time, receive from the committee or board that superintend the continen-

tal commerce, who are to call for, examine and inspect the invoices and other accounts, as often as they shall think necessary :

That the said Alexander Gillon shall forthwith repair to Europe, and purchase, at proper places, such clothing, arms, ammunition, and other articles, as may, from time to time, be directed by the said committee, or board of commerce, to the amount of the net proceeds of all the remittances he or his attorneys in Europe shall there receive from his attorneys in America, such articles, to be bought on the best terms, and shipped for these United States, in such ships, or by such conveyances, as may be most likely to arrive safe ; the said Alexander Gillon to conform himself in the transaction of this business to the instructions he may receive, from time to time, from the committee or board of commerce, to which he is to give regular advice of all his proceedings :

That the customary mercantile commissions be allowed for purchasing and making the remittances, and on the sale thereof in Europe, and a commission of five per cent. on the purchase and exportation of all the articles ordered from Europe, the said commissions to be the only compensation or benefit the said Alexander Gillon, or his attorneys, are to receive or derive to themselves from this business, being deemed fully equivalent to the services they are hereby required to perform ; Whereupon,

*Resolved*, That the above report be accepted, and that the committee of commerce be authorized and directed to enter into a contract on behalf of the United States, with the said Alexander Gillon, esq. agreeable to the tenor and terms thereof :

The yeas and nays on this question as follows :

<i>N.-Hampshire</i> , Mr. Folsom,	no	} no	<i>Maryland</i> , Mr. Smith,	ay	} ay
<i>Massa'tts-Bay</i> , Mr. Gerry,	no	} no	Rumsey,	ay	} ay
Lovell,	no	} no	<i>Virginia</i> , Mr. Jones,	ay	} div.
Dana,	no	} no	R. H. Lee,	no	} div.
<i>Rhode-Island</i> , Mr. Ellery,	no	} no	F. L. Lee,	no	} div.
<i>Connecticut</i> , Mr. Dyer,	ay	} ay	Harvie,	ay	} ay
Law,	no	} ay	<i>N.-Carolina</i> , Mr. Penn,	ay	} ay
Williams,	ay	} ay	Harnett,	ay	} ay
<i>New-York</i> , Mr. Duane,	ay	} ay	<i>S.-Carolina</i> , Mr. Laurens,		
Duer,	ay	} ay	<i>Georgia</i> , Mr. Langworthy,	ay	} ay
<i>Pennsylvania</i> , Mr. Morris,	ay	} no			
Roberdeau,	no	} no			
Clingan,	no	} no			

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### SATURDAY, November 29, 1777.

A letter of the 16th, from gen. Gates, with sundry papers enclosed ; one, of the 27th, from J. Armstrong, aid-de-camp to gen. Gates, who brought the foregoing despatches to Reading, and was there detained by sickness ; and one, of the 24th, from W. Shippen, director-general, at Bethlehem, were read :

*Ordered*, That a copy of gen. Gates's letter be sent to gen. Washington.

*Resolved*, That a committee of three be appointed to procure a translation to be made of the articles of confederation into the French language, and to report an address to the inhabitants of Canada, &c. &c. ; the members chosen, Mr. Duer, Mr. Lovell, and Mr. F. L. Lee.

*Resolved*, That gen. Washington regulate the rank of major-general Arnold and brigadiers-general Woodford and Scott, agreeably to the resolution of Congress of the 12th instant, confirming the principle adopted by the board of general officers on the 19th of August, for settling the rank and precedence of officers, and that the commissions of those officers be called in and cancelled, and new commissions granted them in manner aforesaid.

*Resolved*, That the committee appointed to repair to the camp be instructed to intimate to gen. Washington that Congress are not willing to accept the resignation of col. Spotswood.

*Ordered*, That Mr. Folsom have leave of absence for a few days, for the recovery of his health.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That the following warrants be drawn on J. Gibson, esq. auditor-general, viz.

One in favor of col. David Kennedy, for 2016 76-90 dollars, the amount of sundry provisions, wood, forage, &c. furnished the guards to the British prisoners in Virginia, and to the wagoners of the marching militia of the said state:

One in favor of col. G. Morgan, for 1000 dollars, to be advanced to him for the boat department at Fort-Pitt.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, December 1, 1777.

A letter, of the 26th of November, from gen. Washington, enclosing a copy of a letter to him from gen. Howe, was read.

Congress having received information that gen. Howe, or gen. Burgoyne, by his direction, means to apply for leave to embark the troops surrendered by the convention of Saratoga at Rhode-Island or some part of the sound, which application, if made and complied with, may be attended with consequences highly injurious to the interest of these United States:

*Resolved*, That Mr. President inform general Gates, the council of Massachusetts-Bay, and major-general Heath, that it is the resolution of Congress, if any such application as before mentioned is made, that it be utterly rejected, and that the said troops, when they do embark, must be shipped from the port stipulated by the convention of Saratoga and no other.

*Resolved*, That general Washington be informed, it is highly agreeable to Congress that the marquis de la Fayette be appointed to the command of a division in the continental army.

*Resolved*, That the committee of commerce be directed to ship, with all despatch, 4000 hogsheads of tobacco to the commissioners of the United States at the court of France, to enable them to comply with the contract they mentioned in their letter of the 12th of March last, to have entered into with the farmers-general of France.

*Ordered*, That the letter of the 29d, and that of the 26th of November, from gen. Washington, and the letter of Nov. 16th, from gen. Gates, with the several papers enclosed, be referred to the board of war.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That a warrant issue on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, for 20,000 dollars, in favor of John Gibson, esq. auditor-general, to enable him to discharge a part of a warrant of Congress drawn on him, in favor of the executive council of the said state; the said auditor-general to be accountable:

That a warrant issue on the said Thomas Smith, esq. in favor of Dr. William Shippen, director-general of the hospital, for 50,000 dollars, for the use of his department; the said director-general to be accountable:

That a warrant issue on the treasurer for 50,000 dollars, in favor of Dr. William Shippen, director-general of the hospital, for the use of his department, and for which he is to be accountable:

That 200,000 dollars be advanced to William Buchanan, esq. commissary-general of purchases, for the use of his department, for which he is to be accountable:

That 10,000 dollars be advanced to col. Benjamin Flower, commissary-general of military stores, for the use of his department, and for which he is to be accountable.

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of Thomas Taylor, adjutant to the Georgia battalion, commanded by col. White, for 800 dollars, the state of Georgia to be accountable, and the money to be considered as part of that directed to be sent to the said state :

That the following warrants issue in favor of major-general Mifflin, quarter-master general, amounting to 450,000 dollars, for the use of his department, and for which he is to be accountable, viz.

One on Thomas Smith, esq. commissioner of the loan-office for the state of Pennsylvania, for 100,000 dollars :

One on Derk Ten Broek, esq. commissioner of the loan-office for the state of New-York, for 150,000 dollars :

One on Joseph Borden, esq. commissioner of the loan-office for the state of New-Jersey, for 100,000 dollars :

And one on the continental treasurer, for 100,000 dollars. .

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of Frederick M'Donald, a soldier, discharged at his own request from the invalid regiment, for 8 80-90 dollars, being for one month and ten days' pay due to him, as per col. Nicola's certificate ; the said col. Nicola to be accountable.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### TUESDAY, *December 2, 1777.*

A letter, of the 28th of November, from the council of safety of Pennsylvania, at Lancaster, with sundry papers enclosed, was read :

*Ordered*, That the same be referred to the board of war.

A motion being made for recommending to the states to call in all the paper money emitted by them respectively, under the authority of the king of Great-Britain ; after debate,

*Resolved*, That the same be referred to a committee of four: the members chosen, Mr. R. H. Lee, Mr. Dana, Mr. Duer, and Mr. Duane.

The committee appointed to procure a translation of the articles of confederation, to prepare an address to the inhabitants of Canada, &c. brought in a partial report, which was read :

*Ordered*, That the consideration thereof be postponed to Monday next.

*Resolved*, That a commission be made out for John Adams, esq. similar to that heretofore granted to the commissioners at the court of France.

A motion was made for obtaining a loan of money :

*Resolved*, That it be referred to a committee of three: the members chosen, Mr. Folsom, Mr. Duane, and Mr. Dana.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### WEDNESDAY, *December 3, 1777.*

A letter, of November 1st, from Joseph Trumbull, esq. at Providence, and one, of November the 6th, from major-general Spencer, with a copy of a letter written by him to Joseph Trumbull, esq. late commissary-general, and Mr. Trumbull's answer ; also a letter from general Spencer to governor Cooke, were read :

*Ordered*, That the letter from Mr. Trumbull, and such parts of general Spencer's letter as relate to money, and the correspondence between him and Mr. Trumbull, together with the letters that passed between them, be referred to the board of treasury :



That such part of general Spencer's letter as relates to the expedition to Rhode-Island, together with the copy of the letter to governor Cooke, be referred to the committee appointed to report the mode of conducting an enquiry into the cause of the failure of that expedition.

The committees to whom were referred the motions of yesterday, brought in their reports, which were taken into consideration :

Whereupon, Congress came to the following resolutions :

The quantity of paper money issued to defray the necessary expenses of the war, having at length become so considerable as to endanger its credit, and Congress apprehending that the slow operation of taxes may not be adequate to the prevention of an evil so pernicious in its consequences, and as experience proves that the method of paying the interest by bills on France does not fill the loan-offices so fast as the urgent calls of war demand :

*Resolved*, That the commissioners at the courts of France and Spain, be directed to exert their utmost endeavors to obtain by means most effectual to the end, a loan of two millions sterling, on the faith of the thirteen United States, for a term not less than ten years, with permission, if practicable, to pay the same sooner, if it shall be agreeable to these states, giving twelve months' previous notice to the lender of such intention to return the money, &c. &c.

Whereas, it is the uniform practice of our enemies to pursue every measure which may tend to distract, divide and delude the inhabitants of these states ; to effect which purposes, they have, amongst other arts, promoted associations for supporting the credit of the public money, struck under the authority and sanction of the king of Great-Britain, which associations are evidently calculated to sap the confidence of the public in the continental bills of credit, and in those issued by the authority of the respective states, and to furnish a medium for carrying on a pernicious and traitorous commerce between the enemy and the citizens of these states :

*Resolved*, That it be earnestly recommended to the legislative authorities of the respective states, forthwith to enact laws requiring all persons within their respective states, who may be possessed of any bills of credit struck under the sanction and authority of the king of Great-Britain, on or before the 19th of April, 1775, forthwith to deliver in the same to a commissioner or commissioners for that purpose to be appointed in each county of their respective states ; authorizing such commissioner or commissioners give in exchange for any sum so paid in, continental money or bills of credit of their respective states ; and to declare in the laws so to be enacted, that all bills of credit, under the description above mentioned, which shall not be so delivered in within such reasonable time as the respective states shall for such purpose limit, shall thenceforth become utterly irredeemable.

A representation from captain W. Peery, of Lewistown, to the board of war, was laid before Congress and read ; Whereupon,

Congress came to the following resolution :

Whereas the situation of the enemy's ships and forces, and the arts and number of the malignants in the county of Sussex, in the state of Delaware, have rendered the operation of the civil authority there utterly ineffectual, whereby it has become not only essential to the preservation of the independency of that state, but likewise to the general welfare of the United States, that the most vigorous measures should be forthwith pursued for repressing the arts and violence of the open and secret enemies of these states ;

*Resolved*, That the board of war be authorized to pursue such measures for supporting the friends of America in the county of Sussex, in the state of Delaware, and for curbing the spirit and checking the evil designs of the disaffected, as they shall deem most effectual.

Whereas, the baron de St. Ouary, a gallant gentleman from France, en-

gaged as a volunteer in the service of the United States, was lately, by the fortune of war, made prisoner by the British troops;

*Resolved*, That general Washington be directed to propose to general Howe, that the baron de St. Ouary be permitted to return from captivity, agreeably to the practice of Europe respecting volunteers: if general Howe shall refuse this, that it be proposed to take the baron's parole for his enlargement, Congress engaging, when an exchange takes place, to return a British officer for the baron de St. Ouary: and that general Howe be informed, if neither of these propositions be accepted, that it is expected the gentleman be treated as a prisoner of war, having respect to his merit and rank in the French army.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That the following warrants issue on John Gibson, esq. auditor-general, viz.

One, in favor of col. George Morgan, for 3134 86-90 dollars, advanced as the balance of his account for building boats, purchasing canoes, and carpenter's wages, &c. at Fort Pitt, exclusive of £ 56 2 10 $\frac{1}{4}$ , charged by Thomas Lawrence as a commission on goods purchased by him for the said service, and for paying carpenter's wages; which charge is reserved for consideration; said colonel Morgan to be accountable:

One, in favor of Thomas Butler, continental armourer, for 1800 dollars, advanced for the use of his department; he to be accountable:

One, in favor of captain W. Peery, advanced for the use of his independent company stationed at Lewistown; said capt. Peery to be accountable:

One, in favor of colonel Thomas Polke, for 2387 72-90 dollars, being the hire of two wagons and the purchase of one wagon and four horses, as appears by the certificate of Joseph Thornburgh, wagon-master general, and Jacob Hiltzheimer, agent for wagons; the said sum to be accounted for by major-general Mifflin, quarter-master-general.

*Ordered*, That a warrant issue on the commissioner of the continental loan-office, in the state of South-Carolina, in favor of colonel Thomas Polke, or his order, for 6250 dollars, borrowed from him by brigadier-general Moore, and represented by the said brigadier Moore to have been lodged in the hands of William Kennon, for the use of the troops in the southern department, as appears by a letter from the said brigadier to Congress, dated the 9th of February last, and a bill drawn by him on the continental treasurer in favor of colonel Polke, for the said sum, which is to bear interest from the 7th of July last, when it was tendered for payment, and to be charged to the executors of the said brigadier-general Moore, who are to be accountable.

*Resolved*, That one million of dollars be emitted under the direction of the treasury board, and on the faith of the United States: that the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 7th November last, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations:

15,384 bills of 3 dollars	15,384 bills of 6 dollars	15,385 bills of 8 dollars
15,384 do. of 4 ditto	15,384 do. of 7 ditto	15,315 do. of 30 ditto
15,384 do. of 5 ditto	15,385 do. of 2 ditto	

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the emission, directed on the 20th of May last, shall extend to the said one million to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

*Resolved*, That three members be added to the board of treasury; the members chosen, Mr. Dana, Mr. Rumsey, and Mr. Jones.

*Resolved*, That Mr. Dana be excused from attending the board of war, that he may attend the duties of the treasury board.

**Ordered,** That Mr. Law, Mr. Williams, and Mr. Duane have leave of absence.

The committee for Indian affairs, to whom were referred a letter from the president of South-Carolina, and sundry other papers, having taken the same into consideration, reported a speech to the Six Nations and instructions to the commissioners for Indian affairs in the northern department, which were taken into consideration, and agreed to as follows :

*Brothers, Sachems and Warriors of the Six Nations :*

The great council of the United States call now for your attention. Open your ears, that you may hear, and your hearts, that you may understand.

When the people on the other side of the great water, without any cause, sought our destruction, and sent over their ships and their warriors to fight against us, and to take away our possessions, you might reasonably have expected us to ask for your assistance. If we are enslaved, you cannot be free. For our strength is greater than yours. If they would not spare their own brothers, of the same flesh and blood, would they spare you? If they burn our houses and ravage our lands, could yours be secure?

But, brothers, we acted on very different principles. Far from desiring you to hazard your lives in our quarrel, we advised you to sit still in ease and peace. We even entreated you to remain neuter : and, under the shade of your trees, and by the side of your streams, to smoke your pipe in safety and contentment. Though pressed by our enemies, and when their ships obstructed our supplies of arms and powder, and clothing, we were not unmindful of your wants. Of what was necessary for our own use, we cheerfully spared you a part. More we should have done, had it been in our power.

*Brothers, Cayugas, Senecas, Tuscaroras, and Mohawks :*

Open your ears and hear our complaints. Why have you listened to the voice of our enemies? why have you suffered Sir John Johnson and Butler to mislead you? why have you assisted general St. Leger and his warriors from the other side of the great water, by giving them a free passage through your country to annoy us; which both you and we solemnly promised should not be defiled with blood? why have you suffered so many of your nations to join them in their cruel purposes? Is this a suitable return for our love and kindness, or did you suspect, that we were too weak or too cowardly to defend our country; and join our enemies, that you might come in for a share of the plunder? what has been gained by this unprovoked treachery? what but shame and disgrace! your foolish warriors and their new allies have been defeated and driven back in every quarter; and many of them justly paid the price of their rashness with their lives. Sorry are we to find that our ancient chain of union, heretofore so strong and bright, should be broken by such poor and weak instruments as sir John Johnson and Butler, who dare not shew their faces among their countrymen, and by St. Leger, a stranger, whom you never knew! what are become of the spirit, the wisdom, and the justice of your nations? is it possible that you should barter away your ancient glory, and break through the most solemn treaties for a few blankets or a little rum or powder? that trifles such as these should prove any temptation to you to cut down that strong tree of friendship, by our common ancestors planted in the deep bowels of the earth at Onondaga, your central council fire; that tree which has been watered and nourished by their children until the branches had almost reached the skies! as well might we have expected, that the mole should overturn the vast mountains of the Alleghany, or that the birds of the air should drink up the waters of Ontario!

*Brothers, Cayugas, Senecas, Onondagas, and Mohawks :*

Look into your hearts, and be attentive. Much are you to blame, and greatly have you wronged us. Be wise in time. Be sorry for and amend

your faults. The great council, though the blood of our friends, who fell by your tomahawks at the German-Flats, cries aloud against you, will yet be patient. We do not desire to destroy you. Long have we been at peace; and it is still our wish to bury the hatchet, and wipe away the blood which some of you have so unjustly shed. Till time shall be no more, we wish to smoke with you the calumet of friendship around your central fire at Onondaga. But, brothers, mark well what we now tell you. Let it sink deep as the bottom of the sea, and never be forgotten by you or your children. If ever again you take up the hatchet to strike us; if you join our enemies in battle or council; if you give them intelligence, or encourage or permit them to pass through your country to molest or hurt any of our people, we shall look on you as our enemies, and treat you as the worst of enemies, who, under a cloak of friendship, cover your bad designs, and, like the concealed adder, only wait for an opportunity to wound us, when we are most unprepared.

*Brothers:*

Believe us who never deceive. If, after all our good counsel, and all our care to prevent it, we must take up the hatchet, the blood to be shed will lie heavy on your heads. The hand of the thirteen United States is not short. It will reach to the farthest extent of the country of the Six Nations; and while we have right on our side, the good spirit whom we serve, will enable us to punish you, and put it out of your power to do us further mischief.

*Brothers, Oneidas and Tuscaroras:*

Hearken to what we have to say to you in particular: It rejoices our hearts, that we have no reason to reproach you in common with the rest of the Six Nations. We have experienced your love, strong as the oak, and your fidelity, unchangeable as truth. You have kept fast hold of the ancient covenant-chain, and preserved it free from rust and decay, and bright as silver. Like brave men, for glory you despised danger; you stood forth, in the cause of your friends, and ventured your lives in our battles. While the sun and moon continue to give light to the world, we shall love and respect you. As our trusty friends, we shall protect you; and shall at all times consider your welfare as our own.

*Brothers, of the Six Nations:*

Open your ears and listen attentively. It is long ago that we explained to you our quarrel with the people on the other side of the great water. Remember that our cause is just; you and your forefathers have long seen us allied to those people in friendship. By our labor and industry they flourished like the trees of the forest, and became exceedingly rich and proud. At length, nothing would satisfy them, unless, like slaves, we would give them the power over our whole substance. Because we would not yield to such a shameful bondage, they took up the hatchet. You have seen them covering our coasts with their ships, and a part our country with their warriors; but you have not seen us dismayed; on the contrary, you know, that we have stood firm like rocks and fought like men, who deserved to be free. You know that we have defeated St. Leger, and conquered Burgoyne and all their warriors. Our chief men, and our warriors, are now fighting against the rest of our enemies, and we trust that the good spirit will soon put them in our power or enable us to drive them all far beyond the great waters.

*Brothers:*

Believe us that they feel their own weakness, and that they are unable to subdue the thirteen United States. Else why have they not left our brethren in peace, as they first promised, and we wished to have done? Why have they endeavored by cunning speeches, by falsehood and misrepresentations, by strong drink and presents, to embitter the minds and darken the understandings of all our Indian friends on this great continent, from

north to the south, and to engage them to take up the hatchet against us without any provocation? The Cherokees, like some of you, were prevailed upon to strike our people. We carried the war into their country and fought them. They saw their error, they repented, and we forgave them. The United States are kind and merciful, and wish for peace with all the world. We have, therefore, renewed our ancient covenant-chain with that nation.

*Brothers :*

The Shawanese and the Delawares give us daily proofs of their good disposition and their attachment to us ; and are ready to assist us against all our enemies. The Chickasaws are among the number of our faithful friends. And the Choctaws, though remote from us, have refused to listen to the persuasions of our enemies, rejected all their offers of corruption, and continue peaceable. The Creeks are also our steady friends. Oboylaco, their great chief, and the rest of the sachems and warriors, as the strongest mark of their sincere friendship, have presented the great council with an eagle's tail and rattle-trap. They have desired that these tokens might be shewn to the Six Nations and their allies, to convince them that the Creeks are at peace with the United States. We, therefore, have directed our commissioners to deliver them into your hands. Let them be seen by all the nations in your alliance, and preserved in your central council-house at Onondago.

*Brothers, Sachems, and Warriors of the Six Nations :*

Hearken to our counsel. Let us, who are born on the same great continent, love one another. Our interest is the same, and we ought to be one people, always ready to assist and serve each other. What are the people who belong to the other side of the great water to either of us? They never come here for our sakes ; but to gratify their own pride and avarice. Their business now is to kill and destroy our inhabitants, to lay waste our houses and farms. The day, we trust, will soon arrive when we shall be rid of them forever. Now is the time to hasten and secure this happy event. Let us then, from this moment, join hand and heart in the defence of our common country. Let us rise as one man and drive away our cruel oppressors. Henceforward let none be able to separate us. If any of our people injure you, acquaint us of it, and you may depend upon full satisfaction. If any of yours hurt us, be you ready to repair the wrong or punish the aggressor. Above all, shut your ears against liars and deceivers, who, like false meteors, strive to lead you astray, and to set us at variance. Believe no evil of us, till you have taken pains to discover the truth. Our council-fire always burns clear and bright in Pennsylvania. Our commissioners and agents are near your country. We shall not be blinded by false reports or false appearances.

*Brothers :*

What may be farther necessary at this time for our common good, you will learn from our commissioners, who sit round our council-fire at Albany. Hear what they say, and treasure it up in your hearts. Farewell.

From our great council-fire in Pennsylvania, the 3d day of December, 1777. By order of Congress.

*Instructions to the commissioners for Indian affairs in the northern department.*

The glorious successes of our arms in the north, and the severe chastisement which the unfriendly Indians have received, will dispose the Six Nations to dread our resentment, and to value our protection. While they are under these impressions, will be the proper season to urge them to some decisive enterprize, which will effectually tie them to our cause and promote the public service.

Congress have therefore sent them a speech, which is to be communicated to the different nations, and their feelings upon it attentively watched ; and every possible advantage derived to the states from favorable circumstances.



Congress have at present two great objects in view from their assistance, &c. &c.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

THURSDAY, December 4, 1777.

A letter of the 30th of November, from J. Reed, esq. was read, wherein he expresses his desire of being excused from the office of commissary to the western frontiers:

*Resolved*, That he be excused.

A letter, of the 1st, from general Washington, and one, of the same date, from brigadier Varnum, were read:

*Ordered*, That they be referred to a committee of five: the members chosen, Mr. R. H. Lee, Mr. Duer, Mr. Dana, Mr. Duane, and Mr. Harvie.

*Ordered*, That the report of the board of treasury, on the regulations for the payment of the army, be referred to the new board of war.

The board of war brought in a report; whereupon, Congress came to the following resolution:

Whereas, experience hath evinced that the laws which have been enacted in the state of Pennsylvania, permitting the furnishing of substitutes to perform militia duty, have not only tended to impede the march of the army on critical occasions, but likewise to impede the recruiting service, and to encourage desertions from the continental army:

*Resolved*, That it be submitted to the consideration of the legislature of the commonwealth of Pennsylvania, forthwith to repeal the clause in the said laws which permits the hiring of substitutes to perform militia duty; and, in lieu thereof, to impose and lay such fines on those persons who neglect, or refuse to march when called forth on duty, as the said legislature shall deem adequate to personal service; the fines so levied to be appropriated as a fund for granting such additional bounties to continental recruits as the legislature may deem expedient, in order to complete the deficiencies in their quota of continental troops.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of Michael Hillegas, esq. for 380 dollars, being for cash he advanced to lieutenant Allen, and the price of a horse and chair to convey 500,000 dollars to North-Carolina in July last; the same to be accounted for by the state of North-Carolina, and to be considered as a part of the 500,000 dollars appropriated for the use of that state:

That a warrant issue on John Gibson, esq. auditor-general, in favor of lieutenant John Allen, for 90 60.90 dollars, the balance of his expenses and from North-Carolina state to be accountable, and the dollars ordered to that state.

That a warrant issue on John Brown, for his service 18th, 1776, to July 21st, 1777.

A memorial from John Brown.

*Ordered*, That it be dismissed.

*Resolved*, That it be enjoining the states of New-Hampshire, to take effectual measures within their respective territories for the promotion of other purposes of navigation of that valuable kind of trade.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

FRIDAY, *December 5, 1777.*

Mr. Francis Lewis, a delegate from New-York, attended and took his seat.

A letter, of the 25th of November, from general Gates at Albany, with sundry papers enclosed relative to the enemy's retreat from Ticonderoga and Mount-Independence, was read :

*Ordered*, That the same be referred to the committee of intelligence.

A letter, of the 26th of November, from captain John Barry, was read, enclosing the proceedings of a court-martial, held on board the ship Lyon the 25th of November :

*Ordered*, That the same be referred to the marine committee.

A motion being made, and for some time debated,

*Ordered*, That the same be referred to a committee of three : the members chosen, Mr. Dana, Mr. Duer, and Mr. Harvie.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 50,000 dollars be paid to James Mease, esq. clothier-general, for the use of his department ; and

That a warrant issue on Thomas Smith, esq. commissioner of the loan-office for the state of Pennsylvania, in favour of James Mease, esq. clothier-general, for 20,000 dollars, for the use of his department, for both which sums he is to be accountable.

*Ordered*, That 2400 dollars be paid to captain William Peery, for recruiting and paying an independent company to be stationed at Lewistown, agreeable to the determination of the board of war ; capt. Peery to be accountable.

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the loan-office for the state of Massachusetts-Bay, in favor of the marine committee, for 50,000 dollars, to be transmitted to the navy-board at Boston ; the said marine committee to be accountable :

That a warrant issue on Joseph Clarke, esq. commissioner of the loan-office for the state of Rhode-Island, in favor of the marine committee, for 10,000 dollars, to be transmitted to the navy-board at Boston ; the said committee to be accountable.

*Ordered*, That 84 48.90 dollars be paid to Martin Breniery, door-keeper, for his attendance from October the 4th to December the 1st, and for cleaning the rooms, &c.

That 1094 dollars be paid to Robert Towers, for his services acting as commissary of military stores and continental armourer, from November the 19th, 1775, to May the 19th, 1777, agreeable to a resolution of Congress, passed the 18th of September last.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

SATURDAY, *December 6, 1777.*

A memorial from baron de Fry was read :

*Ordered*, That the consideration thereof be postponed.

The board of war brought in a report, which was read, and, after debate,

*Ordered*, That the farther consideration thereof be postponed to Monday.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

MONDAY, *December 8, 1777.*

A letter, of the 6th, from gen. Stevens, was read :

A letter from the chevalier de Failly, with a letter in his favor from gen.

tes ; also, a petition from Michael Welsh, were read :

*Ordered*, That these be referred to the board of war.

Sundry intercepted letters from Owen Jones, jun. to sundry persons at Lancaster, were laid before Congress :

*Ordered*, That they be referred to a committee of three: the members chosen, Mr. Ellery, Mr. Duer, and Mr. Harvie.

Whereas, it is of the greatest importance that Congress should, at this critical conjuncture, be well informed of the state of affairs in Europe; and whereas, Congress have resolved that the hon. Silas Deane, esq. be recalled from the court of France, and have appointed another commissioner to supply his place there:

*Ordered*, That the committee for foreign affairs write to the honorable Silas Deane, esq. and direct him to embrace the first opportunity of returning to America, and upon his arrival, to repair with all possible despatch to Congress.

Congress resumed the consideration of the report from the board of war: Whereupon,

*Resolved*, That gen. Washington be informed that gen. Howe's answer to his letter of the 14th and 23d of November, remonstrating against the inhuman treatment of the American prisoners, is, in the opinion of Congress, by no means explicit and satisfactory; since it does not invalidate the truth of the depositions of Joseph Cloyd and William Dewees, citizens of the commonwealth of Pennsylvania, and strongly implies gen. Howe's intentions of making a distinction in treatment between persons taken in arms and the faithful and liege citizens of these states, who, by stratagem or the force of war, may fall into his power; an intention not only subversive of the principles of humanity, but inconsistent with the spirit of gen. Howe's former sentiments on this subject, as expressed in his letter dated Staten-land, August the 1st, 1776, viz. "wishing sincerely to give relief to the distress of all prisoners, I shall readily consent to the mode of exchange you are pleased to propose, viz. officers for officers of equal rank; soldier for soldier; citizen for citizen; the choice to be made by the respective commanders for their own officers and men."

It was then moved, "that gen. Washington be directed to demand of gen. Howe a speedy and explicit explanation of the line of conduct which he hath adopted, and means to observe in future to such persons, whether officers, soldiers, or citizens of these states, as may be subjected to his power?"

On motion, *Resolved*, That the consideration thereof be postponed to Monday next:

<i>N.-Hampshire</i> , Mr. Folsom,	ay	ay	<i>Pennsylvania</i> , Mr. Roberdeau,	ay	ay
<i>Massa's-Bay</i> , Mr. Lovell,	ay	ay	<i>Maryland</i> , Mr. Rumsey,	no	no
	ay	ay	<i>Virginia</i> , Mr. F. L. Lee,	no	no
				ay	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	ay		ay	ay
<i>Connecticut</i> , Mr. Dyer,	ay	ay	<i>N.-Carolina</i> , Mr. Harnett,	no	no
<i>New-York</i> , Mr. Duer,	no	no	<i>S.-Carolina</i> , Mr. Laurens,	no	no
	no	no	<i>Georgia</i> , Mr. Langworthy,	no	no
				no	no

The committee appointed to repair to Lancaster to confer with the general assembly of Pennsylvania, report, that they have executed the business committed to them, and beg leave to re-  
said assembly, passed the 3d and 6th inst they have despatched an express to gov. salt ordered to be sent to the North-river late the movements of the wagons to bring

*Resolved*, That a committee of five be tion the state of those counties in the and Delaware, which border on the enemy Washington's army, and report the mo for subsisting the army under the comma tressing that of the enemy: the members Dana, Mr. F. L. Lee, and Mr. Dyer.

A letter from the viscount de Mauroy, at Boston, and one of the 6th, from the committee at camp, were read.

- The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

TUESDAY, *December 9, 1777.*

An application from Mrs. Dugan, and a bill of exchange drawn by Abraham Livingston, in behalf of himself and William Turnbull, at Boston, the 17th of June, 1777, in favor of captain Pierre de Campe, were laid before Congress :

*Ordered*, That they be referred to the board of treasury.

The board of war laid before Congress a correspondence that passed between them and the supreme executive council of Pennsylvania, relative to the supplying the hospital and army with blankets and clothing ; Whereupon,

*Resolved*, That the legislature of the commonwealth of Pennsylvania be informed, that, in the opinion of Congress, the means which have been pursued in consequence of the ordinance of the council of safety of the 8th of November, 1777, have by no means been adequate to the laudable design the council had in view :

That the situation of the army and of the hospitals, for want of blankets and other clothing, is really deplorable, and, if not speedily remedied, must be attended with the most prejudicial consequences not only to this state but to the general interest :

That Congress, therefore, submit to the assembly of the state of Pennsylvania, whether under these critical, distressing circumstances, it would not be advisable to vest the continental board of war, or such persons as the said board may, for that purpose, appoint, with full powers to collect clothing, blankets, &c. agreeably to the restrictions in the ordinance of council of November the 8th, 1777.

*Ordered*, That the board of war transmit the foregoing resolution to the legislature aforesaid.

A motion being made to recommend it to sundry states to offer pardons and give encouragement to such of the members of their respective states as they judge proper, who having joined the enemy, are willing to return to their allegiance :

*Ordered*, That it be referred to a committee of four :

The members chosen, Mr. Dana, Mr. Roberdeau, Mr. Duer, and Mr. Dyer.

The committee to whom were referred the intercepted letters from Owen Jones, jun. to sundry persons at Lancaster, brought in a report, and desired leave to sit again.

Congress took into consideration the report ; Whereupon,

*Resolved*, That the letters from Owen Jones, jun. a prisoner of the commonwealth of Pennsylvania, and confined at Winchester in Virginia, to sundry persons at Lancaster, be transmitted by the board of war to the president of the supreme executive council of the state of Pennsylvania ; and that it be recommended to the executive authority of the said state, to take such measures on the premises, as they, in their wisdom, shall deem meet.

*Ordered*, That the committee have leave to sit again :

*Resolved*, That the president write letters to the several states of Connecticut, New-York, Pennsylvania, Maryland and South-Carolina, representing to them the great and important matters to be transacted in Congress during the winter, and the few members now attending, and that he request them to send forward, without delay, an additional number of members.

That he also write in pressing terms to the states of New-Jersey and Delaware, who are unrepresented, to send delegates immediately to Congress. The several matters to this day referred, being postponed, Adjourned to ten o'clock to-morrow.

WEDNESDAY, *December 10, 1777.*

A petition from Christopher, jun. and Charles Marshall, was read:

*Ordered*, That it be referred to the board of treasury.

The committee to whom it was referred to take into consideration the state of those counties in Pennsylvania, New-Jersey and Delaware, which border on the enemy, &c. brought in a report, which was taken into consideration, and agreed to as follows:

*Resolved*, That general Washington be informed, that Congress have observed, with deep concern, that the principal supplies for the army under his command have, since the loss of Philadelphia, been drawn from distant quarters, whereby great expense has accrued to the public, the army has been irregularly and scantily supplied, and the established magazines greatly reduced, while large quantities of stock, provision and forage, are still remaining in the counties of Philadelphia, Bucks and Chester, which by the fortune of war, may be soon subjected to the power of the enemy:

That Congress, firmly persuaded of general Washington's zeal and attachment to the interest of these states, can only impute his forbearance in exercising the powers vested in him by Congress, by their resolution of the 17th of September and the 14th of November, to a delicacy in exercising military authority on the citizens of these states; a delicacy, which though highly laudable in general, may, on critical exigencies, prove destructive to the army and prejudicial to the general liberties of America:

That from these considerations, it is the desire and expectation of Congress, that general Washington should, for the future, endeavor as much as possible to subsist his army from such parts of the country as are most remote from the enemy, and especially from such quarters as he shall deem most likely to be subjected to the power or depredations of the enemy: and that he issue orders for such purpose to the commissaries and quarter-masters belonging to the army:

That general Washington be directed to order every kind of stock and provisions in the country above-mentioned, which may be beneficial to the army or serviceable to the enemy, to be taken from all persons without distinction, leaving such quantities only as he shall judge necessary for the maintenance of their families; the stock and provisions so taken to be removed to places of security under the care of proper persons to be appointed for that purpose; and that he issue a proclamation, requiring all persons within seventy miles of head-quarters, forthwith to thresh out their grain within such limited periods of time, as he shall deem reasonable, on pain, in case of failure, of having the same seized by the commissaries and quarter-masters of the army and paid for.

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Whereas, it is essentially necessary that the motives of avarice or disaffection, should be removed in the interior parts of the commonwealth of Pennsylvania, for

*Resolved*, That it be earnestly recommended to the several persons within their state, at the distance of twenty miles from general Washington's head-quarters, to thresh their wheat and other grain,



said legislature shall deem sufficient for the purpose ; and, in case of failure, to subject the same to seizure by the commissaries and quarter-masters of the American army, to be paid for at the price of straw only, excepting from such penalty, such families only, as, from the absence of the master, sons or servants, in the service of their country, can give good proof that their compliance with the said law was not practicable.

*Resolved*, That a member be added to the committee on appeals :

The member chosen, Mr. Rumsey.

*Resolved*, That two members be added to the medical committee :

The members chosen, Mr. Lewis and Mr. Penn.

Congress having received information that the inoculation of recruits in the hospital in the state of Virginia has of late been attended with much ill success ;

*Ordered*, That the medical committee make strict enquiry into the truth of this information, and report to Congress, with all possible despatch.

*Ordered*, That to-morrow morning, a commissioner be elected to proceed to the western frontiers in the room of colonel J. Reed.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 144 dollars be paid to Mr. Lotbinier, a Canadian chaplain, for his pay and rations from September 10th to December 10th inst.

That 1000 dollars be paid to captain Martin Pfifer, for the use of his own, captain Ashe's and captain Medici's troops of North-Carolina light-horse ; the said captain Pfifer to be accountable :

That 2000 dollars be advanced to the delegates of Georgia, viz. 1500 on the application of Mr. Wood, and 500 on the application of Mr. Langworthy, two of the delegates of the said state ; and that the same be considered as a part of the 300,000 dollars appropriated for the use of the said state :

That a warrant issue on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, in favour of James Mease, esq. clothier general, for 12,000 dollars, advanced him towards the payment of clothing, purchased by Mr. Zantzinger, for the use of brigadier Wayne's division ; the said clothier-general to be accountable :

That 1842 dollars be advanced to John Brown, in discharge of John Ashe's four draughts, dated in the state of North-Carolina, March the 15th, 1777, in favour of John Fragneau ; one for 410, one for 422, one for 500, one for 510 ; the said state to be accountable, and that the same be considered as a part of the 500,000 dollars heretofore ordered for the use of that state.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *December 11, 1777.*

Mr. A. Clark, a delegate from New-Jersey, attended, and produced the credentials of his appointment, which were read as follows :

“ At a joint meeting of the legislative council and general assembly of the state of New-Jersey, held at Princeton, on the 20th day of November, 1777 : The joint meeting proceeded to the election of five delegates, to represent the state in the general Congress of the United States, and the ballots being taken, the honorable John Witherspoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder, and Elias Boudinot, esqrs. were duly elected.

*Resolved*, therefore, That the said John Witherspoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder, and Elias Boudinot, or any one or more of them, be empowered to represent and vote in behalf of this state, in the general Congress of the United States of North-America, until the first day of December, which will be in the year of our Lord, one thousand seven hundred and seventy-eight, unless a new appointment shall sooner take place. It is, nevertheless, expected, that three of the said delegates

do constantly attend Congress, unless prevented by sickness or other accident.

*By order of the joint meeting,*

Attest.

JOHN STEVENS, *Chairman.*  
CHARLES PETTIT, *Secretary.*

According to the order of the day, Congress proceeded to the election of a commissioner to go to Fort-Pitt, in the room of colonel J. Reed, who is excused, and, the ballots being taken, George Clymer, esq. was elected.

The board of war report, "that, in their opinion, the public interest will be promoted by erecting in the town of York, temporary barracks or sheds sufficient for containing 600 men, for the purpose of accommodating such recruits, and other troops, as may be, from time to time, stationed or detained at the said place, either as guards, or for the purpose of equipment and discipline:" Whereupon,

*Resolved*, That the board of war be directed to cause the said barracks or sheds to be erected, with all possible despatch, and in the most reasonable manner they can devise.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 84 dollars be paid to William Hurrie, for his attendance as door-keeper to Congress, from the 1st of August to the 19th of September, and for nursing wounded soldiers, &c.

The committee appointed to report a mode of conducting an enquiry into the causes of the failure of the expedition against Rhode-Island, and into the conduct of the general officers conducting such expedition, brought a report; Whereupon,

*Resolved*, That five commissioners be appointed, and that three of them be empowered to conduct the enquiry; that they meet for that purpose on the first Monday in February next, at Providence, in the state of Rhode-Island and Providence Plantations; that they summon to them the commanding officer, and all the general officers concerned in the conduct of the said expedition, and such other officers and persons as they may think proper:

That the mode of their enquiry be by question and answer:

That they enquire what number of troops were assembled for the expedition; what number of continental troops, of fifteen months' men, of militia, of volunteers, of artillerymen or train, and what was the quantity and quality of ordnance and ordnance stores; whether any extra militia were called forth, when, why, and for what time; what number of them did appear at the posts in arms, and when they were dismissed; how long before the rendezvous, the commander in chief had knowledge of the number of troops to be employed in the expedition; whether the necessary preparations were made for a descent on Rhode-Island previous to the rendezvous, or at any time after when they were in readiness to set forth, why the attack was postponed, why the militia were ordered to march, and whether their march was each day postponed; what during the time the expedition was in progress, and whether their march was each day postponed; what during the time the expedition was in progress, and whether their march was each day postponed;

That they enquire whether at any time, and whether their march was each day postponed; what during the time the expedition was in progress, and whether their march was each day postponed;

That they enquire what was the time the troops were assembled for the expedition, and whether their march was each day postponed; what during the time the expedition was in progress, and whether their march was each day postponed;

That they ask all such further questions, and make such further enquiries, by correspondence or otherwise, as they may think will tend to discover the causes of the failure of the said expedition ; and that they report to Congress the questions asked, and the answers made, and also a copy of the proceedings and determinations of any and all councils of war that were held during the time aforesaid, together with the opinions of each member of such council upon matters proposed and debated, if practicable to be obtained, and of all other papers that may be laid before them, or which they otherwise procure respecting the said expedition ?

Congress proceeded to the election of commissioners, and, the ballots being taken, William Whipple, esq. of New-Hampshire, R. T. Paine, esq. of Massachusetts-Bay, Egbert Benson, esq. of New-York ; Oliver Ellsworth, esq. of Connecticut, and Henry Marchant, esq. of Rhode-Island, were elected.

*Resolved*, That a committee of three be appointed to take into consideration the case of the officers, whether of continental forces, flying-camp, or militia, taken prisoners by the enemy, and released on parole, and report, whether any or what allowance of pay and rations ought to be made to them : the members chosen, Mr. Dyer, Mr. Clark, and Mr. Ellery.

The delegates from New-Hampshire laid before Congress an account of the expenses incurred by that state for prisoners brought into the same, and also a state of the exchange of prisoners :

*Ordered*, That the account of expenses be referred to the board of treasury, and the state of the exchange to the board of war.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *December 12, 1777.*

A letter, of the 27th of November, from Joseph Trumbull, late commissary-general ; one, of the 1st of December, from gov. Trumbull ; one of the 19th, one of the 27th, and one of the 30th of November, and one of the 1st of December, from gen. Heath, enclosing copies of letters that passed between him and gen. Burgoyne ; a letter from S. Clap, of New-Hampshire, and two petitions from prisoners of war in that state ; also, a letter of the 26th, and one of the 29th of November, from S. A. Otis, deputy clothier-general at Boston, were read :

*Ordered*, That the letter from governor Trumbull be referred to the board of treasury :

That the letters from gen. Heath, with the papers enclosed, be referred to the board of war :

That so much of Mr. Otis's letter as relates to money, be referred to the board of treasury, and the remainder to a committee of three : the members chosen, Mr. Dana, Mr. Duer, and Mr. F. L. Lee.

A letter, of this day, from Mr. President Laurens, was read, informing, that " the malady under which he labors has made such a progress as to convince him, by reflecting upon former attacks, that he will not be able to move out of the house, nor attend his duty in Congress, for some weeks to come ; and informing that there is much business upon his table, which it is not in his power to give despatch to ; that every day will accumulate the heap, business will be impeded, and some branches run into confusion ; and therefore, humbly moving Congress to proceed to the choice of a president, as an act of propriety and necessity : "

*Ordered*, That the consideration thereof be postponed till to-morrow.

A letter from Mr. Colt, and one from Mr. Champion to William Buchanan, esq. commissary-general of purchases ; also, one from Mr. Buchanan to Mr. Roberdeau, were laid before Congress, and read :

*Ordered*, That they be referred to the committee on the letter from Mr. Otis.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

SATURDAY, December 13, 1777.

A letter, of the 10th, from gen. Washington, at White-Marsh, was read.

Mr. Smith, a member of the committee of commerce, informed Congress that, in pursuance of the orders of Congress, the committee have entered into an agreement with Mr. Gillon, and that he is desirous of having a sight on the loan-office for the state of South-Carolina, for the first year's salary; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the loan-office of the state of South-Carolina, for the sum of 125,000 dollars, in favor of Alexander Gillon, esq. to enable him to execute the contract entered into with the committee of commerce; and that the said sum be charged to the said committee, which is to be accountable:

*Resolved*, That three members be added to the committee of commerce:

The members chosen, Mr. Lewis, Mr. Ellery, and Mr. Harnett.

The board of war, to whom were referred the letters from brigadier Conway, brought in a report, which was taken into consideration: Whereupon,

*Resolved*, As the opinion of this Congress, that it is essential to the promotion of discipline in the American army, and to the reformation of the various abuses which prevail in the different departments, that an appointment be made of inspectors-general, agreeable to the practice of the best disciplined European armies:

*Resolved*, That this appointment be conferred on experienced and vigilant general officers, who are acquainted with whatever relates to the general economy, manœuvres and discipline of a well regulated army.

*Resolved*, That the duties of these officers be as follows:

To review, from time to time, the troops, and to see that every officer and soldier be instructed in the exercise and manœuvres which may be established by the board of war: that the rules of discipline be strictly observed, and that the officers command their soldiers properly, and do them justice.

*Resolved*, That the inspectors-general, respectively, shall give notice to the commanders of regiments, of the time which shall be fixed on for such reviews, who are to prepare the following returns, models of which are previously to be furnished by the inspector, viz.

A return of clothing;

A return of arms and accoutrements;

A return of recruits, with an account of the money laid out for that purpose;

A return of the number and names of the wounded men, distinguishing such as are fit for the corps of invalids, and such as are totally unfit for service;

A return of the loss sustained otherwise;

A return of the pay and rations;

A return of all the officers' behaviour, capacity and assistance.

All the returns, when signed, to be carefully scrutinized by the committee, who shall add his remarks upon the same.

*Resolved*, That the inspectors-general, at the beginning and at the latter end of the year, shall judge proper, or shall receive

first giving notice thereof to the commander in chief, and obtaining his leave for reviewing the said troops.

*Resolved*, That the inspectors-general, respectively, shall make this review minutely, man by man, attending to the complaints and representations of both soldier and officer, and transmitting to Congress what petitions and grievances he shall think worthy of notice : that not solely depending upon the accounts and characters of officers as given him by the colonels of regiments, the inspectors-general shall examine the said officers in person, direct them to command different manœuvres, and take such measures as shall enable him to give an exact account to Congress.

*Resolved*, That these reviews, when closed, be transmitted to Congress by the inspector-general making the review, who is to furnish the major of the respective regiments with a copy of the same, and to keep another for his own government and assistance in proceeding to the next review.

*Resolved*, That the inspectors-general shall examine, from time to time, the pay-books of the respective regiments, which are to be kept in an uniform manner, agreeable to such regulations as may be established for that purpose, giving immediate notice to Congress of any malversation or mismanagement which he may discover.

*Resolved*, That it be referred to the commissioners of the war office to report such further regulations for this office, as they shall deem calculated to extend its utility, and to promote the end of its institution.

*Resolved*, That two inspectors-general be now appointed :

Congress proceeded to the election, and, the ballots being taken, brigadier T. Conway was elected.

*Resolved*, That the election of the other inspector be postponed to Monday next.

*Resolved*, That another major-general be appointed in the army of the United States : the ballots being taken, brigadier T. Conway was elected.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, December 15, 1777.

A letter, of the 5th, from B. Harrison. esq. deputy pay-master general in Virginia ; and one, of the same date, from W. Finnie, esq. deputy quartermaster general, directed to the board of war, were laid before Congress :

*Ordered*, That they be referred to the board of treasury.

The secretary informed Congress that Mr. Clymer accepted the appointment of commissioner, and would proceed to Fort-Pitt as soon as he could get ready :

*Ordered*, That the state of Pennsylvania be informed of Mr. Clymer's appointment and acceptance.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 6807 dollars be advanced to the delegates of Georgia, to enable them to discharge the demands on them from the said state for that sum, which is to be considered as a part of the money appropriated for the use of the said state, which is to be accountable.

The board of treasury laid before Congress a letter of November the 24th, directed to them, from gen. Heath, which was read :

*Ordered*, That it be referred to a committee of five, and that they be directed to enquire into the rise of the expedition against Rhode-Island : the members chosen, Mr. Dyer, Mr. Ellery, Mr. Dana, Mr. Lovell, and Mr. Harvie.

Mr. Roberdeau, a delegate from Pennsylvania, laid before Congress credentials of the appointment of delegates from that state, which were read as follows :



(L. S.) "In the name and by the authority of the commonwealth of Pennsylvania: the supreme executive council of the said state *Tho. Wharton, President.* to all whom it may concern, sendeth greeting: Whereas the general assembly of representatives of the freemen of Pennsylvania have elected Dr. Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith, of York-town, William Clingan, and Joseph Reed, esqrs. to represent this state in Congress, and hath made the same known to this council: these are, therefore, to certify, that the said Dr. Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith, of York-town, William Clingan, and Joseph Reed, esqrs. are appointed and authorized to represent the freemen of the state of Pennsylvania in the Congress of the United States of America. Given under the seal of the commonwealth, at Lancaster, on the thirteenth day of December, in the year of our Lord, one thousand seven hundred and seventy-seven.

"Attest,

T. MATLACK, *Secretary.*"

Congress having received information that large quantities of cattle have been driven upon the marshes of the county of Kent, in the state of Delaware, and into other parts of the said county, which are exposed to the depredations of the enemy; and the present situation of the state of Delaware, with respect to its internal and open enemies, rendering it impracticable that any measures, which may be devised by the government of the said state, for removing the said stock, can be executed with secrecy and dispatch:

*Resolved*, That the board of war be authorized and directed to give such orders for securing the said stock as they shall deem most effectual:

That the owners of the stock so removed be paid for the same at reasonable rates.

Congress took into consideration a report from the board of war, and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### TUESDAY, December 16, 1777.

James Smith, of York-town, a delegate from Pennsylvania, attended, and took his seat in Congress.

A letter from Edward Kennedy, an inhabitant of Providence, one of the Bahama-Islands, dated at Boston, October the 28th, was laid before Congress, with samples of green indigo, a new manufacture discovered by him:

*Ordered*, That the same be referred to the delegates of South-Carolina and Georgia.

A memorial from Ephraim Marsh, of Elizabeth-town, with an account enclosed, was laid before Congress, and read:

*Ordered*, That it be referred to the

*Ordered*, That colonel Rawlins at eleven o'clock, to give such information respecting the treatment our prisoners in them.

The committee appointed to report, which was read:

*Ordered*, To lie on the table.

*Resolved*, That Congress meet twice

That at one o'clock, Congress be at three in the afternoon.

A petition from colonel Green was

*Ordered*, That it be referred to the

The committee, to whom were referred the letters from Mr. Otis, brought in a report :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, December 17, 1777.

Dr. Witherspoon, a delegate from New-Jersey, attended, and took his seat in Congress.

A letter, of the 14th and 15th, from general Washington, near the Gulph, with a copy of a letter to him from lieutenant-general Burgoyne, dated Cambridge, November the 25th ; a letter, of the 10th, from William Livingston, governor of New-Jersey ; and one, of the 9th, from Charles Alexander, late captain of the frigate Delaware, directed to the marine committee, were laid before Congress, and read :

*Ordered*, That the letter from governor Livingston be referred to the board of war ; and that the letter from captain Alexander be returned to the marine committee.

*Resolved*, That general Washington be directed to inform general Burgoyne, that Congress will not receive nor consider any proposition for indulgence or altering the terms of the convention of Saratoga, unless immediately directed to their own body.

According to the order of the day, colonel Rawlins attended, and having informed Congress of the treatment our prisoners in the hands of the enemy receive from them, he withdrew.

### THREE O'CLOCK, P. M.

Congress took into consideration the report of the committee on the letter from S. A. Otis, and, after some time spent thereon,

*Resolved*, That it be recommitted, and that the committee be instructed to prepare a circular letter to the states, to accompany the resolution of Congress.

*Resolved*, That Mr. Gerry be added to the committee.

*Resolved*, That the governor and council of safety of Connecticut be authorized and requested to use their utmost endeavors to lay up all the supplies of salted provisions they are able, and to employ proper persons for that purpose, and co-operate with Mr. Colt therein.

Robert Lawson, a colonel of one of the battalions of Virginia forces, having sent his commission to Congress, and requested leave to resign the same,

*Resolved*, That his resignation be accepted.

A remonstrance from the council and general assembly of Pennsylvania, was read :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred, being postponed,

Adjourned to three o'clock to morrow, P. M.

### THURSDAY, December 18, 1777.

### THREE O'CLOCK, P. M.

Mr. Jonathan B. Smith, a delegate from Pennsylvania, attended and took his seat in Congress.

A letter, of the 3d, from general Gates, enclosing a letter to him from lieutenant-general Burgoyne, dated Cambridge, November the 14th, together with a list of the British and German troops, that surrendered by the convention of Saratoga ; also, a letter of the 12th, and one, of the 28th of November, from R. Varick, esq. deputy muster-master-general in the northern department, with muster-rolls of the northern army, were read :

**Ordered,** That the letter from general Gates, with the papers enclosed, be referred to a committee of five: the members chosen, Mr. Witherspoon, Mr. Duer, Mr. Dana, Mr. F. L. Lee, and Mr. J. B. Smith.

**Resolved,** That Mr. Harvie be added to the marine-committee, in the room of Mr. R. H. Lee, who is absent.

Congress took into consideration the report from the committee sent to camp to confer with general Washington, and the remonstrance from the executive council and assembly of Pennsylvania, and, after some time spent thereon,

**Resolved,** That the farther consideration thereof be postponed till to-morrow.

A letter, of the 7th, from general Heath, at Boston, was read.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### FRIDAY, December 19, 1777.

**Ordered,** That the letter from R. Varick, read yesterday, with the rolls enclosed, be referred to the board of war.

A letter, of the 15th, from Monsieur de la Balme, was read.

Congress resumed the consideration of the report of the committee sent to confer with general Washington, and the remonstrance from the council and general assembly of Pennsylvania:

The committee having, in their report, made mention of letters containing the opinions of general officers, which were laid before them by the general, and on which they grounded their opinion:

A motion was made that the committee be asked, whether they had those letters?

The committee informed Congress that they had brought the letters with them, but that the general, when he delivered them the letters, mentioned that they might keep them to satisfy themselves and form their judgment, and then return them to him; and that, therefore, they considered themselves obliged to return them to the general.

**Ordered,** That the letters be laid on the table for the persual of the members.

The letters were accordingly brought in and laid on the table.

#### THREE O'CLOCK, P. M.

A certificate from major-general Gates, of his having promoted Denis John de Bouchet, to the rank of major, was laid before Congress:

**Ordered,** That it be referred to the board of war.

Congress resumed the consideration of the report from the committee sent to confer with general Washington, and the remonstrance from the council and general assembly of Pennsylvania; and, thereupon,

**Resolved,** That a copy of the remonstrance be transmitted by express to general Washington, and that he be desired to inform Congress whether he has come to a fixed resolution to canton the army; and if he has, what line of cantonment he has proposed; in particular, what measures are agreed on for the protection of that part of Pennsylvania which lies on the easterly side of Schuylkill, and of the state of New-Jersey:

That general Washington be farther informed, that, in the opinion of Congress, the state of New-Jersey demands, in a peculiar degree, the protection of the armies of the United States, so far as the same can possibly be extended, consistent with the safety of the army and the general welfare; as that state lies open to attacks from so many quarters, and the struggles which have been made by the brave and virtuous inhabitants of that state, in defence of the common cause, cannot fail of exposing them to the particular resentment of a merciless enemy.

Congress took into consideration the report of the board of war of the 12th, and thereupon, came to the following resolution:

Whereas, sir William Howe, commander in chief of his Britannic majesty's forces, has required that provisions should be sent in for the subsistence of the American prisoners in his possession, and for the purchase of such necessaries as they may stand in need of, and has prohibited the circulation of the money struck by the authority of these states, within such parts of the country as are at present subjected to his power; whereby great difficulties have occurred in relieving the distresses of the American prisoners; and whereas large sums of continental bills of credit have been counterfeited and issued by the agents, emissaries and abettors of sir William Howe:

*Resolved*, That the accounts of all provisions and other necessaries which already have been, or which hereafter may be supplied by the public to prisoners in the power of these states, shall be discharged by either receiving from the British commissary of prisoners or any of his agents, provisions or other necessaries, equal in quality and kind to what have been supplied, or the amount thereof in gold and silver, at the rate of 4s 6 for every dollar of the currency of these states: and that all these accounts be liquidated and discharged, previous to the release of any prisoners to whom provisions or other necessaries shall have been supplied.

*Ordered*, That Monday next be assigned for taking into consideration the report of the committee, respecting the establishment of a French legion.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 6000 dollars be advanced to John Gibson, auditor-general, to enable him to discharge a part of a warrant of Congress of the 1st of September last, drawn on him in favor of the delegates of Georgia; the said auditor-general to be accountable.

*Ordered*, That 400 dollars be paid to the honorable H. Laurens, to discharge a draught of William Palfrey, pay-master general, of December 11th, in favor of colonel Moses Rawlins; the said pay-master-general to be accountable.

*Ordered*, That 600 dollars be paid to Isaac Wikoff, in discharge of John Ashe's third draught, dated state of North-Carolina, the 5th of March last, in favour of William Dry, expressed to be for the payment and support of continental troops; the state to be accountable, and the sum to be considered as a part of the 500,000 dollars, appropriated for the use of that state.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

#### SATURDAY, December 20, 1777.

Whereas, it is represented to Congress, that a considerable number of the nine first regiments of Virginia forces, in the continental service, whose times of enlistment are near expiring, are willing to re-enlist, and many of them have re-enlisted for three years or during the war, upon condition of receiving the continental bounty of 20 dollars, the suit of clothes allowed by Congress, and a farther bounty of 20 dollars; and whereas, the state of Virginia have engaged to pay the additional bounty, but the clothier-general has not sufficiency of clothing to supply the men; and it being represented that the men are willing to take money in lieu of the clothes that cannot be supplied, and to furnish themselves with necessary clothing:

*Resolved*, That the board of treasury be directed to settle the accounts of the said men, and to pay or order them to be paid for the articles of clothing, with which they cannot be supplied by the clothier-general, agreeably to the estimate fixed by Congress.

The medical committee, to whom it was referred to enquire into the conduct of the director of the hospital at Alexandria, reported, "that from the

informations of several officers in the Virginia and North-Carolina regiments, which are annexed, it appears obvious to the committee that Dr. Rickman, director of the said hospital, has been guilty of great neglect in not giving proper attendance to the officers and soldiers under inoculation at Alexandria:"

The said report and the informations being read,

*Resolved*, That Dr. Rickman be immediately suspended, and that he attend the medical committee, to answer the several complaints exhibited against him.

*Ordered*, That the medical committee transmit to Dr. Rickman a copy of the complaints against him, and direct his attendance :

That the said committee write to Dr. Shippen, director-general, and direct him to send immediately a skilful physician to take care of the sick and superintend the inoculation of the soldiers at Alexandria.

Application being made by Robert Yancey, to be reimbursed a sum of public money entrusted to him as pay-master of colonel Bird's regiment, and which he lost;

*Ordered*, That it be referred to the board of treasury to enquire into the circumstances, and report specially thereon.

*Resolved*, That Mr. Frost be added to the marine committee, in the room of Mr. Folsom, who being engaged at the treasury, desires to be excused.

A letter, of the 2d, from brigadier Parsons, with a copy of a letter from him to general Tryon, and general Tryon's answer, were read.

*Ordered*, That brigadier Parsons be directed to send to Congress an authentic account of the treatment which John and Philip Vantassel and their families received from the enemy.

A letter, of the 14th, from the navy board at Bordentown, in New-Jersey, directed to the marine committee, was laid before Congress :

*Ordered*, That it be returned to the marine committee, and that they be directed to prepare proper resolutions for supporting the authority of the navy board, and report the same to Congress.

A letter from Flobergue de la Rocatelle, with a memoir annexed, was laid before Congress, and read :

*Ordered*, That it be referred to the committee on foreign affairs.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 68 dollars be paid to Patrick M'Closkey, for a horse belonging to him, which was sent with an express to the eastward in February last, and not returned, as appears by the certificate of Mr. Hancock, and Mr. Abeel, assistant quarter-master general :

That 39 65-90 dollars be paid to Mr. A. Clark, for the amount of the expenses of himself and others, with the public papers, &c. at Bristol :

That 600,000 dollars be advanced to William Buchanan, commissary general of purchases, of which sum 200,000 to be sent to Mr. Cuyler, his deputy in the northern department, 200,000 to Mr. Colt, his deputy in the eastern department, and 200,000 to his deputy in the southern department; the said commissary general to be accountable :

That a warrant issue on John Lawrence, commissioner of the continental loan-office in the state of Connecticut, for 200,000 dollars, in favour of the governor and council of safety of the said state, for the purpose of purchasing provisions agreeably to a resolution of Congress; the said governor and council to be accountable :

That the following warrants be drawn on Thomas Smith, commissioner of the loan office of the state of Pennsylvania, viz.

One in favor of Elias Boudinot, for 5000 dollars, to be paid in loan-office certificates, bearing date the 21st of May last, being in discharge of so much borrowed of him at that time by William Palfrey, pay-master general, who is to be accountable :



One in favor of Elias Boudinot, for 1200 dollars, to be paid in loan-office certificates, to be dated the 7th of July last, being in discharge of so much borrowed of him at that time by W. Palfrey, pay-master general, who is to be accountable :

One in favor of John Morton, for 14,900 dollars, to be paid in loan-office certificates, bearing date the 27th of May last : and that there be paid to Elias Boudinot, for the said John Morton, 72 80-90 dollars ; the two last sums being for 14,970½ dollars, borrowed on interest of the said John Morton, by William Palfrey, pay-master general, as appears by his two receipts, dated at Morristown, the 27th of May last, one for 4700 dollars, the other for 10,270½, for which he is to be accountable ; and also in discharge of the interest due on 70½ dollars, from the 27th of May to the 20th of December.

The said committee having also represented to Congress, that the warrant drawn in favor of William Buchanan, commissary-general of purchases, on the 16th of September last, by the president of Congress, on John Lawrence, esq. commissioner of the loan-office in the state of Connecticut, for 200,000 dollars, is returned for want of payment, and that Mr. Buchanan desires the same to be cancelled ; it was, thereupon,

*Resolved*, That the said warrant be cancelled, and that proper entries be accordingly made in the public books at the treasury office.

The committee to whom was re-committed the report on the letters from S. A. Otis, brought in their report, which was taken into consideration ; Whereupon,

*Resolved*, That it be most earnestly recommended to the respective legislatures of the United States, forthwith to enact laws, appointing suitable persons to seize and take, for the use of the continental army of the said states, all woollen cloths, blankets, linens, shoes, stockings, hats, and other necessary articles of clothing, suitable for the army, which may be in the possession of any persons inhabitants of, or residents within, their respective states, for the purpose of sale and not for their own private use or family consumption, giving them certificates or receipts for the same, expressing the quantity and quality of the goods ; provided, that such laws do not extend to any goods, wares, or merchandises which are, or shall be, *bona fide*, imported into the respective states on account of any persons not citizens of any of these United States, so long as the same shall continue their property, and no longer : and that they inflict such penalties as may be deemed proper on such persons possessed of any of the above enumerated goods, wares, or merchandise, or other articles of clothing suitable for the army, who, to evade the good intention of the said laws, shall falsely affirm or declare the same to be the property of persons not citizens of any of the said United States.

2. That it be further recommended to make provision in the said laws to empower the commissary-general of purchases, or any of his deputies, or such other persons as the respective legislatures may deem expedient, to seize all stock and every kind of provision necessary for the army, which may have been purchased up or engrossed by any person with a view of selling the same, giving to the person, from whom such stock or provisions have been taken, certificates as aforesaid.

3. That the value of all such goods, wares, and merchandise as are above enumerated, or other articles of clothing, stock, or provisions necessary for the army, which shall be so seized and taken, be ascertained at the rate at which the said articles shall be stated by the convention of the committees of the several states, to be held agreeably to the recommendation of Congress of the 22d of November last : the articles of clothing to be paid for by draughts made by the respective states upon the clothier-general ; and the stock or provisions by the purchasing commissaries receiving them.

4. And it is further recommended to the respective states, to cause to be made up so much of the clothing aforesaid as they can complete within a reasonable time, and to send the whole of the clothing so taken or seized, as well that part which may be made up, as that which may remain unmade, (except so much as may be necessary for clothing the recruits enlisted in the states for their respective battalions in the continental service,) to the clothier-general, to be distributed in the first instance to the supply of the troops belonging to the state furnishing such clothing, and the residue in such manner as the commissioners of the war-office or the clothier-general shall, from time to time, direct: provided, that this resolution shall not repeal or affect any part of the seventh proposition recommended to the legislatures of the respective states, the 22d of November last, relative to the additional clothing to be furnished to their respective battalions. And it is further resolved, that the clothier-general transmit, from time to time, to the respective states, an account of the clothing furnished to their battalions out of the stock by them collected and sent forward, in order that each state may be satisfactorily informed that their troops receive immediate advantage from its exertions in the common cause.

5. And whereas, great waste of clothing has arisen from the want of facility or skill in the persons employed to make up the same:

*Resolved*, That it be recommended to the respective states to appoint one or more suitable persons to superintend and direct the tradesmen employed to make up the clothes to be collected as aforesaid, who shall conform themselves to the instructions of the board of war relative to the form thereof, provided that no delays be suffered to take place from the want of such instructions.

6. And whereas, the comfortable support of the army of these states hereafter greatly depend on the supplies which they may be able to draw from their own internal resources; it is therefore most earnestly recommended to the said states, to employ a sufficient number of manufacturers and workmen to supply the clothing wanted for their respective battalions, exempting them, under proper regulations, from military duty; and authorizing suitable persons to collect and supply, at the stipulated prices, cotton, wool, flax, leather, and other articles for carrying on the said manufactures.

7. And whereas, certain persons, devoid of, and in repugnance to every principle of public virtue and humanity, instigated by the lust of avarice, are, in each state, assiduously endeavoring, by every means of oppression, sharpening, and extortion, to accumulate enormous gain to themselves, and great distress of private families in general, and especially of the poorer and more dependent part of the community, as well as to the great injury of the public service: for the effectual suppression of such nefarious practices it is most seriously recommended to the several legislatures aforesaid, forthwith to enact laws, limiting the number of retailers of goods, wares, and merchandise in their several counties, towns, and districts, and obliging them to take license and enter into bonds for the observance of all laws made for their regulation; to make provision in the said laws that no persons be allowed to sell by wholesale except the importer, and he only to persons having such license, or the certificates hereafter mentioned; and that such of their inhabitants as are not licensed as aforesaid, be restrained from purchasing a greater quantity of such goods, wares, and merchandise than is requisite for their own private or family's use and consumption; and that it be further recommended to the several states to prohibit any persons whatsoever, citizens of their respective states, from purchasing within the same, any articles of clothing or provision necessary for the use of the army, (unless such as may be requisite for their own private or family's use or consumption) excepting only such person or persons as shall produce a certificate, or

the seal and sign manual of the supreme executive authority of the respective states, purporting that the said person or persons are employed or permitted to make purchases either on account of the public or for the use or benefit of the inhabitants of the state of which he or they are members ; and to inflict such punishment upon all atrocious offenders before described, as shall brand them with indelible infamy.

8. And whereas, there is good reason to apprehend that many of the emissaries and abettors of general Howe are dispersed through the United States, under various pretences of amusement or business, whereby they are enabled to spread disaffection, intimidate the people by false news, depreciate the currency of the United States, and avoid serving in the militia, or paying their fines ; to prevent these mischiefs it is most earnestly recommended to the supreme executive power of each state, to take the most effectual measures to cause all persons whose character and business is not well known and approved of, to be apprehended, and if they cannot give a good and satisfactory account of themselves, that they be obliged immediately to return to their own states, or be confined in gaol.

The committee having prepared a circular letter to accompany the foregoing resolutions, submitted it to Congress, and the same was read, and agreed to as follows :

SIR : I am directed by Congress to transmit to your honorable body the enclosed resolutions, which the pressing wants of the army, and the arts and avarice of engrossers and extortioners have rendered indispensably necessary to the general welfare.

It is with deep concern that Congress, after having for some time contemplated, in painful silence, the mischiefs which threatened this extended continent from the growing avarice of the times, feel themselves constrained to recommend measures which the virtue of all classes of men rendered not long since unnecessary, and which a scrupulous regard for security of property to every citizen of these states has hitherto restrained from adopting. But, unhappy the case of America ! laws unworthy the character of infant republics are become necessary to supply the defect of public virtue, and to correct the vices of some of her sons ; and she is called upon by the grand principle of self preservation, to guard against the parricide of those whom she has fostered in her own bosom.

To minds whose reflections are employed on the importance of the cause in which we are engaged, and that feel for every circumstance which may affect the honor and safety of these states, it must give the most painful sensations to consider that, at a time when the late signal successes we have been blessed with, the reduced numbers of the enemy, the difficulties they meet with in procuring foreign levies, and the political complexion of affairs in Europe, have deprived Britain of many of those resources on which she so much depended ; when the number and improving discipline of our army, the prodigious augmentation of our military stores, the quantity of provisions with which this country abounds, and the large supplies of clothing which have of late been imported by private persons, afford not only the opportunity but the means, under Divine Providence, of establishing our liberties by a few exertions ; this bright prospect should be clouded over, and this great and glorious event endangered by the languor of too many, and by the arts and avarice of designing individuals, who, like the British nabobs of the east, are corrupting the manners of a whole nation, and building vast fortunes on the destruction of the liberties of the western world.

It is to be hoped, however, that the wise and spirited laws of the different states, aided by the influence and exertions of the real patriots, will apply effectual remedies to these alarming evils ; that the old and hardened offenders will be punished ; that those in whose bosoms the sparks of public virtue

are not yet extinguished, will be reclaimed, the languid roused from their present apathy; and that all classes of men will unite with their former spirit and virtue against an enemy whose progress is marked with every vestige of barbarity, and whose determined object is to establish a tyranny of the most dangerous and debasing nature over the inhabitants of a vast continent.

Congress flatter themselves that the resolutions herewith transmitted will tend to accomplish some of these valuable purposes, and they therefore esteem it their duty to recommend them to the serious consideration of your honorable house, and hope they will be carried into execution as secretly and expeditiously as possible. By order of Congress.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Monday.

**MONDAY, December 22, 1777.**

A letter of the 11th, and one of the 22d, from Thomas Mullens, brigadier-major, to gen. Conway, with a certificate in his favor from lord Sterling and gen. Sullivan; a letter from brigadier de Roche Fermoy; one from Mons. de Kermovan; two from the chevalier de Bouchet; and one from the vicomte de Laumagne, were read:

*Ordered*, That they be referred to the board of war.

A letter, of November 29th, from gen. R. Howe, at Charleston, South-Carolina, and one from col. D. Mason, at Williamsburg, were read:

*Ordered*, That they be referred to the board of war.

Mr. Folsom, a member from New-Hampshire, laid before Congress a paragraph of a letter from an officer of the troops from that state, in the army under gen. Washington, representing the distresses of the said troops for want of clothing:

*Ordered*, That the said paragraph, together with the remonstrance lately received from the council and assembly of Pennsylvania, be referred to the board of war.

*Resolved*, That such gold and silver as shall be received in consequence of the resolution of Congress of the 19th, for provisions and other necessaries supplied by the public to prisoners in the power of the United States of America, shall be forthwith paid into the continental treasury, subject to the future order of Congress.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 300 dollars be advanced to lieutenant-colonel Fabyan for his pay, he to be accountable:

That a warrant issue on Thomas Smith, commissioner of the loan-office of the state of Pennsylvania, for 10,000 dollars, in favor of Elias Boudinot, commissary-general of prisoners, on application of the board of war: he said commissary-general to be accountable:

That 500 dollars be advanced to major James Armstrong Wilson, in recruiting two independent companies to be under his command, ordered to be stationed at Carlisle; the said major Wilson to be accountable:

That 1834 2-3 dollars be paid to capt. John F. Mercer, being the balance of bounty, clothing, and blankets due to 53 non-commissioned officers and privates of the third Virginia regiment, now under the command of the said capt. Mercer, who is to be accountable for this sum.

*Ordered*, That the report of the committee, respecting the establishment of a French legion, be postponed.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**TUESDAY, December 23, 1777.**

A letter, of the 8th, and one, of the 11th, from gen. Gates; one, of the 12th, from gov. Trumbull, with a copy of a letter from R. Pigot to lieutenant

general Burgoyne, enclosed ; one, of the 2d, from col. Gansevoort ; one, of the 29th of November, from E. Hancock, deputy pay-master general in the eastern department, with a monthly return ; one, of the 15th, from col. Mason, at Williamsburg ; and one, of the 17th of October last, from capt. J. Kendrick, at Nantz ; were read :

*Ordered*, That the letter from gov. Trumbull, with that enclosed from R. Pigot, be referred to the committee on gen. Heath's letter :

That the letter from col. Gansevoort, be referred to the board of war :

That the letters from E. Hancock and col. Mason, be referred to the board of treasury, and the letter from J. Kendrick to the committee of commerce.

The delegates from Virginia laid before Congress an account of the expenses incurred by that state for prisoners :

*Ordered*, That it be referred to the board of treasury.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, December 24, 1777.

A memorial from lieutenant-colonel Barton, who took gen. Prescott prisoner, was read : Whereupon,

*Resolved*, That lieut. col. William Barton, on account of his enterprising spirit, and his merit in taking major-gen. Prescott prisoner, be promoted to the rank and pay of a colonel in the service of the United States ; and that he be recommended to gen. Washington, to be employed in such services as he may deem best adapted to his genius.

The delegates of Virginia having applied for an advance of 150,000 dollars to their state, to pay for goods collected and seized for the continental army, in consequence of a recommendation of Congress ;

Application being also made by the delegates of New-Jersey, for an advance of 120,000 dollars to that state ; and by the delegates from New-Hampshire for an advance of 150,000 dollars to their state ;

*Ordered*, That these several applications be referred to the board of treasury.

The board of treasury brought in a report : Whereupon,

*Ordered*, That 600 dollars be paid to the delegates of Maryland on the application of Mr. Rumsey, one of the said delegates ; that state to be accountable :

That 15,000 dollars be paid to Isaac Melchior, barrack-master general, for the use of his department, and for which he is to be accountable.

*Resolved*, That all the forces under the command of gen. Gates, or the commanding officer in the northern department, shall be paid by Jonathan Trumbull, jun. pay-master in the northern department.

A letter from the president of the council of Pennsylvania, to the delegates of that state, was laid before Congress, and read :

*Ordered*, That it be referred to a committee of four : the members chosen, Mr. Harvie, Mr. Clark, Mr. Duer, and Mr. Dyer.

A petition from Samuel Mifflin, by his proctor, William Lewis, was read, relative to the brig Sally, captured by Samuel Champlin, commander of the privateer, American Revenue, condemned in the court of admiralty in the state of North-Carolina, alleging that the condemnation was wrongfully obtained by a tortious and fraudulent act of captain Champlain, and praying the privilege of an appeal :

*Ordered*, That the consideration thereof be postponed.

A memorial from Israel Pemberton, and others, to the Congress and executive council of Pennsylvania, was read.

The committee appointed to consider what pay and allowance ought to be made to continental flying-camp and militia officers, captivated by the enemy, and held as prisoners or admitted to return home on parole, brought in a report :



*Ordered*, That the consideration thereof be postponed.

*Resolved*, That a committee of three be appointed to take into consideration the wants of the army, and the letter of the committee lately sent to camp, directed to gen. Washington: the members chosen, Mr. Gerry, Mr. J. B. Smith, and Mr. Witherspoon.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock on Friday.

#### FRIDAY, December 26, 1777.

A letter, of Nov. 28th, from gen. Schuyler, at Saratoga, was read.

*Resolved*, That three members be added to the committee appointed to enquire into the causes of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general-officers in the northern department at the time of the evacuation: the members chosen, Mr. Den, Mr. Witherspoon, and Mr. Ellery.

*Resolved*, That a committee of three be appointed to devise effectual means to prevent persons disaffected to the interest of the United States from being employed in any of the important offices thereof: the members chosen, Mr. Roberdeau, Mr. Clark, and Mr. Ellery.

A letter, of the 20th, from William Lux, was read, enclosing two bills of exchange drawn on the clothier-general by Raymond Demere, one, in favor of John Wright Stanley, for 1562½ dollars, dated Savannah, Nov. 1st, 1777, and the other of the same date, in favor of Peter Lavien & Co. for 520 dollars:

*Ordered*, That the same be referred to the board of treasury.

The committee to whom were referred the letters that passed between gen. Heath, and lieut. gen. Burgoyne, relative to the resolution of Congress of the 8th Nov. and the letter of the 14th Nov. from lieut. gen. Burgoyne to gen. Gates, brought in a report, which was read:

*Ordered*, That it be referred to a committee of the whole Congress.

*Resolved*, That Congress resolve itself, in the afternoon, into a committee of the whole, to take into consideration the foregoing report.

A letter, of the 22d, and one, of the 23d, from gen. Washington, with sundry papers enclosed, were read:

*Ordered*, That they be referred to a committee of three: the members chosen, Mr. Duer, Mr. Witherspoon and Mr. Harvie.

#### THREE O'CLOCK, P. M.

Congress resolved itself into a committee of the whole, to consider the report of the committee appointed to enquire into the causes of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general-officers in the northern department at the time of the evacuation: the members chosen, Mr. Den, Mr. Witherspoon, and Mr. Ellery. The president resumed the chair, and the committee have had under consideration the report, and have come to any resolution.

*Resolved*, That Congress resolve itself, in the afternoon, into a committee of the whole, to consider far

The several matters referred to this day  
Adjourned to ten o'clock on Saturday.

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A letter, of the 22d, from the rev. Mr. Israel Edwards,

*Ordered*, That the

A memorial from the

**Ordered**, That it be referred to the committee appointed to enquire into the causes of the evacuation of Ticonderoga, &c.

A memorial from Mons. de la Balme, was read :

**Ordered**, That the consideration thereof be postponed.

A letter, of the 6th, from Thomas Cushing, was read, enclosing a bill drawn by him on Mr. Henry Laurens, president of the marine committee, in favor of Andrew and James Caldwell, for 13,359 dollars :

**Ordered**, That it be referred to the marine committee.

A petition from the rev. Mr. Daniel Batwell, was read, setting forth, "that by means of his confinement, he is languishing under a dangerous disorder," and praying "to be enlarged on parole, or on giving security, or both, an indulgence which he requests for the sake of his private affairs and the re-establishment of his health :"

Also, a certificate from Dr. Henry, was read, testifying, "that the petitioner labors under a complication of disorders, and that clear air and gentle exercise are absolutely necessary for his recovery :"

Whereupon, it was moved, "that the petitioner be allowed to go to his farm, giving his parole to hold no correspondence with the enemies of the United States, nor to do any thing whatever to the prejudice of the American cause, there to remain till further orders ;

<i>New-Hampshire</i> , Mr. Folsom,	no	}	no	<i>Pennsylvania</i> , Mr. Roberdeau,	no	}	div.
Frost,	no			Jas. Smith,	ay		
<i>Massa'sts-Bay</i> , Mr. Gerry,	no	}	no	<i>Virginia</i> , Mr. F. L. Lee,		}	*
Lovell,	no			Harvie,	ay		
Dana,	no			<i>N.-Carolina</i> , Mr. Penn,	ay	}	ay
<i>Rhode-Island</i> , Mr. Ellery	no	}	no	Harnett,	ay		
<i>Connecticut</i> , Mr. Dyer,	ay			<i>S.-Carolina</i> , Mr. Laurens,	no	}	no
<i>New-York</i> , Mr. Lewis,	no	}	no	<i>Georgia</i> , Mr. Wood,	no		
Duer,	no			Langworthy,	no	}	no
<i>New-Jersey</i> , Mr. Witherspoon,	ay	}	div.				
Clark,	no						

So it passed in the negative.

**Resolved**, That, in the opinion of Congress, the rev. Mr. Batwell should be discharged from confinement, on taking an oath of allegiance to the state of Pennsylvania ; or, on his refusal, that he should be allowed to go with his family into the city of Philadelphia.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report : Whereupon,

**Ordered**, That 400 dollars be advanced to gen. Conway, on account of his pay, and that the same be delivered to major Mullen ; gen. Conway to be accountable :

That 400 dollars be advanced to the rev. John Hurt, on account of his pay as chaplain of brigadier Weedon's brigade ; he to be accountable :

That 60 dollars be paid by John Gibson, auditor-general, to Francis Minnis, lieutenant in captain Lewis's company of the first Virginia regiment, commanded by col. Hendricks, for which sum the said colonel is to be accountable :

That 50,000 dollars be advanced to the board of war, to be by them transmitted to Benjamin Harrison, jun. deputy pay-master general in Virginia, for the use of his department, and for which he is to be accountable :

That a warrant issue on Thomas Smith, commissioner of the loan-office in the state of Pennsylvania, in favor of col. W. Buchanan, commissary-general of purchases, for 50,000 dollars, for the use of his department ; the said commissary-general to be accountable :

That 47,813 25-90 dollars be paid to Mons. Rouilhac, in discharge of the principal and interest of a bill drawn by Abraham Livingston and William

Turnbull, dated Boston the 17th of June last, in favor of capt. Pierre de Campe, for value received of James Price, in sundry merchandise for public service, which bill is directed to the hon. Robert Morris, chairman of the secret committee of Congress, and for payment, to apply to James Mear, clothier; for which sum the said clothier-general is to be accountable.

Congress resolved itself into a committee of the whole, to consider further the report of the committee on the letters that passed between gen. Heth and lieutenant-general Burgoyne, relative to the resolution of Congress of the 8th of November, and the letter from gen. Burgoyne to gen. Gates, of November 14th, 1777, and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their further consideration the report to them referred, and have come to two resolutions thereon, which he was ready to report:

*Ordered*, That they be now received:

The resolutions agreed to by the committee of the whole being read,

*Ordered*, That the consideration thereof be postponed to Monday.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

#### MONDAY, December 29, 1777.

A letter, of the 3d, and two, of the 4th of November, from general B. Howe at Charleston, South-Carolina, were read:

*Ordered*, That they be referred to the board of war.

The delegates from the state of Virginia laid before Congress a resolution of the two houses of the general assembly of that commonwealth, passed December 12th, 1777, empowering any two of their delegates, from that time until the end of two months' after the expiration of that session of the general assembly, to represent the state in Congress.

*Resolved*, That the committee on the letters of the 22d and 23d from general Washington, be discharged; and that the said letters be committed to the board of war, and that the said board, in conjunction with Mr. Harcourt, Mr. Gerry and Mr. Clark, be fully empowered to take the necessary measures for supplying the army with provisions and other necessaries.

A letter from major Dennis John du Bouchet, was read, wherein he represents, that his bad state of health obliges him to quit the service and return to France, and praying for a certificate of his past services and the reasons of his return to France; intimating, at the same time, some embarrassment with regard to his finances.

*Ordered*, That a certificate be granted to him, and that his letter be referred to the board of treasury.

The committee on the treasury brought in a report.

*Ordered*, That 300 dollars be advanced to him in part of his demand for services to be accountable:

That 30 44-90 dollars be paid to Mear charged by him in his interest account June the 17th, in favor of captain Pi charged to the clothier-general:

That a warrant issue on John Law in the state of Connecticut, in favor of his commissioners of accounts for the eastern part advanced to him, and for which he is to be accountable:

That 30 dollars be paid to Martin press with intelligence to Congress.

*Resolved*, That the several commissions of the United States, be directed to pass

ificates, that are or may be issued from their respective offices, taking receipts and making returns agreeable to the directions of the board of treasury.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

**TUESDAY, December 30, 1777.**

The marine committee, to whom was referred a letter of the 11th from the navy board at Bordentown, complaining of the disrespect and ill treatment which one of the said board lately received from John Barry, commander of the frigate *Effingham*, brought in a report; Whereupon,

*Resolved*, That captain John Barry be required immediately to attend Congress, to answer to the complaint exhibited against him, and that he be furnished with an extract from the letter of the navy board, as far as it relates to the said complaint.

Whereas, it is essentially necessary to the marine service, that the officers of the navy of the United States of America should pay obedience to such orders as the navy boards in the respective departments may at any time find necessary to give them, for promoting the public service; and that all the officers in the said navy should treat the said navy boards with decency and respect:

*Resolved*, That the navy boards be, and they are hereby empowered to suspend any officer of the navy within their respective districts, who shall refuse to pay obedience to such orders as they may think necessary to issue, or who shall treat them with indecency and disrespect: and the said navy boards are hereby required to give immediate notice to the marine committee of any such suspension, with the reasons thereof.

The marine committee reported, " that they have taken into consideration the proceedings and sentence of a court-martial, held on board the ship *Lion*, at Bordentown, in New-Jersey, for the trial of John Steward, master's mate of the ship *Repulse*, and James Ledlie, master at arms of the said ship, and John Pemberton, armourer, John Campbell, quarter-master, and Michael Tarney, a boy, all belonging to the said ship *Repulse*; and it appearing that the criminals, previous to the offences for which they are under condemnation, had behaved themselves as became their stations, and no positive proof appearing that they intended to desert to the enemy; and they being recommended as proper subjects of mercy, it is their opinion that they be pardoned, on condition they will enlist to serve as privates in the navy during the war:

*Resolved*, That Congress concur with the committee.

**THREE O'CLOCK, P. M.**

The board of war brought in a report; Whereupon,

*Resolved*, That gen. Washington be directed to inform the brave officers and soldiers of the continental army, now in camp, that, as the situation of the enemy has rendered it necessary for the army to take post in a part of the country not provided with houses, and in consequence thereof to reside in huts; Congress approving of their soldierly patience, fidelity and zeal, in the cause of their country, have directed one month's extraordinary pay to be given to each, and are exerting themselves to remedy the inconveniencies which the army have lately experienced from the defects of the commissary's and clothier's departments:

That, after the 1st day of January next, the commissary-general of purchases be directed, from time to time, to compute the cost of each part of a ration, agreeably to the prime cost of the articles composing the same; and that he send a certificate thereof to the board of treasury, and also to the commissary-general of issues, who is thereupon directed to publish the same

to the issuing commissaries, to be by them observed, in lieu of the estimate made in the 38th article of the commissary's regulations, passed by Congress the 10th of June last:

That general Washington be directed to recommend to the officers of the army to draw such a part of their rations only as may be necessary for their respective subsistence, and to receive the residue thereof in money, at the estimated cost aforesaid, until the difficulties arising from the present deficiency in the commissary's department shall be removed.

*Resolved*, That the powers vested in gen. Washington by the resolutions of the 17th of September and 8th of October last, and the 10th inst. be extended from the last day of the present month to the 10th day of April next, unless sooner revoked by Congress.

*Resolved*, That persons, inhabitants of any of these United States, who have voluntarily enlisted, or shall so enlist with or join the enemy of the said states, and have been or shall be taken in arms, be confined in close gaols, subject to be delivered up to the respective states to which they belong, to be dealt with agreeably to the laws thereof, and that the commissary-general of prisoners and his deputies be directed, from time to time, to transmit to the respective states the names of such of their citizens who have been made prisoners.

A letter from brigadier de Roche Fermoy was read, desiring to be promoted to the rank of major-general; Whereupon,

*Resolved*, That brigadier de Roche Fermoy be informed that Congress do not think it expedient to promote him to the rank he solicits.

*Resolved*, That to-morrow be assigned for appointing an adjutant-general in the room of col. Pickering, who is called to the board of war.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *December 31, 1777.*

A letter of the 22d, and one of the 25th, from gov. Livingston, were read.

Application being made by the delegates of Virginia, for five field pieces for the use of their state,

*Ordered*, That it be referred to the board of war.

### THREE O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 100,000 dollars be advanced to the state of Virginia, for the purpose of paying for goods collected and seized for the continental army, in consequence of a recommendation of Congress; the money to be paid to the delegates, and the state to be accountable:

That a warrant issue on William Armstead, commissioner of the loan-office in the state of Virginia, in favor of the delegates of the said state, for 50,000 dollars, for the purpose expressed in the foregoing order: the said state to be accountable:

That 20,000 dollars be paid to the board of war, to be by them transmitted to John Smith, esq. county-lieutenant of Frederick, in the state of Virginia, to defray the expenses of building barracks, purchasing provisions for prisoners of war in the said county, and the guards over them, and also for paying the guards, agreeably to the letter of October 23d, from his excellency gov. Henry to col. William Kennedy, the said John Smith to be accountable:

That a warrant issue on Joseph Borden, commissioner of the continental loan-office in the state of New-Jersey, for 50,000 dollars, in favor of the delegates of that state, for the use of the said state, which is to be accountable.

That 5898 dollars be paid to capt. Williams, in the North-Carolina forces, for the purpose of paying the officers and recruits belonging to the several



Virginia battalions, under the command of col. John Williams, now detained in York, by direction of the board of war ; for which purpose the said captain Williams is specially appointed pay-master.

*Ordered*, That capt. Williams forthwith pay off the said recruits, according to the muster-rolls attested by gen. Conway, and produce receipts from each of the officers and soldiers receiving the money, specifying the regiment or corps to which they belong, to be transmitted by the auditor-general to the pay-master general, who is to be accountable.

*Ordered*, That 300,000 dollars be advanced to William Buchanan, commissary-general of purchases, for the use of the middle district ; the said commissary-general to be accountable :

That a warrant issue on Nathaniel Appleton, commissioner of the continental loan-office in the state of Massachusetts-Bay for 200,000 dollars, in favor of James Mease, clothier, for the use of his deputy, Samuel Allen Otis, at Boston ; the said clothier-general to be accountable.

*Resolved*, That the clothier-general be directed to authorize Samuel A. Otis, his deputy, to draw bills on him for such sums as shall be necessary to answer the demands on Mr. Otis for clothing, which cannot be discharged by the preceding draught.

Whereas, Samuel A. Otis, deputy clothier-general in the state of Massachusetts-Bay, hath signified to Congress, that he hath contracted with sundry persons in the said state for a large quantity of clothing for the use of the continental troops, at the most extravagant rate of 10 to 1800 per cent. and that some of the holders of the said goods have even refused to deliver him the same until they shall receive the cash, thereby adding to extortion the crime of wounding the public credit as far as in them lay, and manifesting a disposition callous to the feelings of humanity and untouched by the severe sufferings of their countrymen, exposed to a winter campaign, in defence of the common liberties of their country :

*Resolved*, therefore, That Mr. Otis be directed to pay only for such of the said clothing as he may have actually received, at the rate for which he may have contracted for such clothing.

*Resolved*, That it be most earnestly recommended to the legislative authority of the state of Massachusetts-Bay, immediately to take and seize the residue of the clothing which the holders thereof have refused to deliver to the said Samuel A. Otis, agreeably to the resolutions of Congress of the 20th inst. which clothing shall be paid for in manner and at the rate mentioned therein and not otherwise.

*Ordered*, That the president write to the president of the council of Massachusetts-Bay, in the terms following :

“ It is with inexpressible concern that Congress learn the extortionate views and demands of the proprietors of clothing lately purchased or attempted to be purchased within your state by Mr. Samuel A. Otis, deputy clothier-general, for the use of the continental troops, now exposed in the field to the severities of the season ; and that those individuals should even add to the crime of extortion a greater, if possible, that of refusing to deliver the goods upon the credit of the thirteen United States, whereby they not only wound the public credit, but in all probability will be the means of many brave soldiers perishing in the field, merely for want of necessary clothes.

This irrefragable evidence of the depravity of morals, in so many of the citizens of these states, is a most alarming circumstance ; and if the several governments do not speedily exert their authority effectually to suppress such unheard of extortion, it will unquestionably issue, and at no very distant period, in the destruction of the liberties of this continent. Congress feel themselves obliged to sound the alarm, however distressing it may be, to

he several legislatures of these states, that their revenues cannot support such astonishing extravagance. Shall we then tamely see ourselves compelled, by the wicked conduct of some of the citizens of these states, to the cruel necessity of submitting to the mercy of an enraged tyrant?

This must, however, inevitably be our fate should we delay applying a remedy to so dangerous an evil. Congress have judged it indispensably necessary to come into the resolutions enclosed herein, and those lately transmitted on a like subject, which you are desired immediately to lay before the general assembly for their consideration, who are requested to keep these resolutions, and their proceedings thereon, secret till carried into execution."

The board of war brought in a report; Whereupon,

*Resolved*, That as it is expedient to promote a speedy reformation in the army, as well for the purpose of discipline as economy; and the number of officers being already out of all proportion to that of the privates, to avoid further embarrassments in this respect, it be recommended to the governments of the several states, to suspend filling up any vacancies in their respective regiments, until they shall hear further from Congress on the subject.

A motion was made for sending a committee to camp:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Dana, Mr. Duer and Mr. Dyer.

*Resolved*, That the appointment of an adjutant-gen. be farther postponed.

A letter, of this day, from brigadier de Roche Fermoy; one, of the 6th of November, from Nicholas Cooke, president of the council of war in the state of Rhode-Island; and one, of the 17th inst. from Jeremiah Powell president of the council of Massachusetts-Bay, were read.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to-morrow.

#### THURSDAY, January 1, 1778.

A memorial from the chevalier de Villefranche was read, setting forth that though he received a gratification and money for his return to France, yet, upon reconsideration, he would rather stay in this country, if he could be employed in the corps of engineers, under brigadier-du Portail, in which case he would return the money and bill of exchange granted him; Whereupon,

*Resolved*, That the chevalier de Villefranche be appointed major in the corps of engineers, under the command of the brigadier du Portail.

An extract of a letter from major-general de Kalb, and a memorial from Lewis Casimer, baron de Holzenderf, were read:

*Ordered*, That they be referred to the board of war.

The marine committee, to whom was referred the letter of the 6th of December last, from Thomas Cushing, esq. with a bill of exchange enclosed, report, "That, in their opinion, the said bill ought to be paid by a warrant on the treasurer in favor of the persons in whose behalf the bill is drawn."

*Resolved*, That Congress agree to the report of the committee.

*Ordered*, That the said report, with the bill and letter, be referred to the board of treasury.

*Resolved*, That general Washington be directed to order the commanding officers of the continental regiments, now in camp, to make exact returns of the soldiers in their respective regiments to the pay-masters thereof, to prevent any imposition in the payment of the one month's pay extraordinary which Congress, in their resolve of the 30th of December last, have ordered to be given to the brave officers and soldiers of the continental army, in count of their soldierly patience, fidelity, and zeal, in hutting, &c. as expressed in the said resolve.

## THREE O'CLOCK, P. M.

A petition from Daniel Lush, was read :

*Ordered*, That it be referred to the board of treasury.

A letter, of Dec. 29th, from brigadier Weedon, was read :

*Ordered*, To lie on the table.

The committee on the treasury brought in a report : Whereupon,

*Ordered*, That 200,000 dollars be advanced to the board of war, to be by them transmitted to Jonathan Trumbull, jun. pay-master in the northern department, for the use of his district, and for which he is to be accountable :

That 13,359 dollars be paid to John Brown, for discharging Thomas Cushing's bill on H. Laurens, esq. president of the marine committee, in favor of Andrew and James Caldwell, & Co. dated Boston, Dec. 6th, 1777, and expressed to be for the use of the continental ships building in Massachusetts-Bay ; the said marine committee to be accountable :

That 675 dollars be paid to Mr. Caldwell, in discharge of John Ashe's two bills on the continental treasurer, dated North-Carolina, the 27th of March last, in favor of Francis Brice, one for 275, and the other for 400 dollars ; the state of North-Carolina to be accountable, and the sum to be considered as part of the 500,000 dollars appropriated for the use of that state.

Congress resumed the consideration of the second resolution passed in committee of the whole, on report of the committee on lieut. gen. Burgoyne's letters, and, sundry amendments being made, so as to read thus :

*Resolved*, therefore, That the embarkation of lieut. gen. Burgoyne, and the troops under his command, be suspended till a distinct and explicit ratification of the convention of Saratoga shall be properly notified by the court of Great-Britain."

On the question put, to agree to the resolutions as amended ;

<i>New-Hampshire</i> , Mr. Folsom,	ay	} ay	<i>Pennsylvania</i> , Mr. Roberdeau,	ay	} ay
<i>Massa'tts-Bay</i> , Mr. Gerry,	ay		J. B. Smith,	ay	
	Lovell,	ay	Clingan,	ay	
	Dana,	no	Jas. Smith,	ay	
<i>Rhode-Island</i> , Mr. Ellery,	declined voting.		<i>Virginia</i> , Mr. F. L. Lee,	ay	} div.
<i>Connecticut</i> , Mr. Dyer,	declined voting.		Harvie,	no	
<i>New-York</i> , Mr. Lewis,	ay	} ay	<i>N.-Carolina</i> , Mr. Harnett,	ay	} ay
	Duer,		ay	<i>S.-Carolina</i> , Mr. Laurens,	
<i>New-Jersey</i> , Mr. Witherspoon,	ay	} ay	<i>Georgia</i> , Mr. Wood	ay	} ay
	Clark,		ay	Langworthy,	

So it was resolved in the affirmative.

*Ordered*, That the resolutions passed by Congress, and the report on which the same are grounded, be re-committed.

*Resolved*, That Monday next be assigned for appointing auditors of accounts in the northern and eastern departments, and for the army in the middle department.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock on Monday.

## MONDAY, January 5, 1778.

A letter from Mons. Laneuville ; one, of this day, from the Rev. Mr. Batwell ; one, of the 1st, from gen. Washington ; one, of the 20th of December last, from gov. Clinton, of the state of New-York ; and one, of the 2d, from the council and assembly of Pennsylvania, were read :

*Ordered*, That the letter from Mr. Batwell be referred to the board of war ; that the letter from the council and assembly of Pennsylvania, be referred to a committee of three : the members chosen, Mr. J. B. Smith, Mr. Witherspoon, and Mr. Folsom.

*Ordered*, That the letter from Mr. Laneuville be referred to the committee on foreign applications.

*Ordered*, That they be referred to the board of war.

A letter, from the chevalier de Roche Fermoy, was read :

*Ordered*, That it be referred to the delegates from Massachusetts-Bay.

Congress having no farther occasion for the service of Esek Hopkins, esq. who, on the 22d of December, 1775, was appointed commander in chief of the fleet fitted out by the naval committee,

*Resolved*, That the said Esek Hopkins, esq. be dismissed from the service of the United States.

THREE O'CLOCK, P. M.

Congress took into consideration the resolutions agreed to in a committee of the whole, and the first resolution being amended so as to read,

That the charge made by lieut. gen. Burgoyne, in his letter to major gen. Gates, of the 14th of Nov. of a breach of public faith on the part of these states, is not warranted by the just construction of any article of the convention of Saratoga; that it is a strong indication of his intention, and affords just grounds of fear, that he will avail himself of such pretended breach of the convention, in order to disengage himself and the army under him, of the obligations they are under to these United States; and that the security which these states have had in his personal honor is hereby destroyed.

The resolution being divided, and the question put to agree to the two first clauses, resolved in the affirmative.

Question put to agree to the last clause, viz. "and that the security, &c."

<i>New-Hampshire</i> , Mr. Polsom,	ay	} ay	<i>Pennsylvania</i> , Mr. Roberdeau,	ay
Frost,	ay		Clingan,	ay
<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} ay	J. B. Smith,	ay
Lovell,	ay		Jas. Smith,	ay
Dana,	no	} no	<i>Virginia</i> , Mr. F. L. Lee,	ay
<i>Rhode-Island</i> , Mr. Ellery,	no		Harvie,	ay
<i>Connecticut</i> , Mr. Dyer,	no	} no	<i>N.-Carolina</i> , Mr. Harnett,	ay
<i>New-York</i> , Mr. Lewis,	ay		<i>S.-Carolina</i> , Mr. Laurens,	ay
Duer,	ay	} ay	<i>Georgia</i> , Mr. Wood,	ay
<i>New-Jersey</i> , Mr. Witherspoon,	no		Langworthy,	ay
Clark,	no	} no		

So it was resolved in the affirmative.

The second resolution was read, and sundry amendments being made.

*Resolved*, That the farther consideration thereof be postponed till tomorrow.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to morrow.

SATURDAY, January 3, 1778.

A letter, of the 15th of Dec. from Jonathan Trumbull, jun. pay-master of the northern department, was read, enclosing a warrant in his favor on S. Appleton, esq. commissioner of the loan-office in the state of Massachusetts-Bay, dated Oct. 16th, 1777, returned for want of pay:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 7th of Dec. from P. Colt, esq. at Boston, and another, of the 16th of the same month, from him at New-Haven, both directed to W. B. anan, commissary-general of purchases, were read:

*Ordered*, That they be referred to the board of war.

A letter, of Dec. 26th, from the navy-board, at Bordentown, with papers enclosed, respecting the conduct of lieut. Henessy, was read:

*Ordered*, That it be referred to the marine committee.

*Resolved*, That gen. Washington be authorized to appoint such a number of aids-de-camp, as he may, from time to time, judge necessary, and the choice of regimental officers for that purpose, if he thinks proper; as in former resolutions of Congress to the contrary notwithstanding.

## THREE O'CLOCK, P. M.

Congress resumed the consideration of the report under debate this morning ; Whereupon,

*Resolved*, That the sum of 10 dollars shall be paid by every officer, and the sum of four dollars by every soldier, who shall enter, or be sent into any hospital to be cured of the venereal disease ; which sums shall be deducted out of their pay, and an account thereof shall be transmitted by the physician or surgeon who shall have attended them, to the regimental pay-master for that purpose ; the money so arising to be paid to the director-general, or his order, to be appropriated to the purchasing blankets and shirts for the use of sick soldiers in the hospital.

Congress proceeded to the election of a secretary to the board of war and ordnance, and, the ballots being taken, James Wilkinson, esq. was elected.

A letter, of the 17th Dec. last, from the council of N. York, to the delegates of that state in Congress, was read :

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Wood, Mr. J. Smith and Mr. Roberdeau.

Congress resumed the consideration of the report of the committee on certain propositions, &c. Whereupon,

*Resolved*, That gen. Heath be directed to order the deputy quarter-master general in the eastern department, forthwith to provide 1000 good bell-tents, and send them to the army under the command of gen. Washington.

*Resolved*, That the six first paragraphs be referred to a committee of the whole Congress, and that the consideration of the last paragraph be postponed.

The committee on the treasury brought in a report ; Whereupon, Congress came to the following resolutions :

Whereas it appears, by a return made to the board of treasury, from the managers of the lottery of the United States, that the invasion of the state of Pennsylvania by the enemy has obstructed this business, and produced considerable delays in the sale of the tickets, in so much, that the number yet remaining on hand, renders it necessary once more to postpone the drawing ; and whereas, Congress being desirous, as far as possible, to fulfil the expectations of the adventurers, think it proper to give them the fullest assurance, that, at the time herein proposed, the managers are to proceed on this business without further delay :

*Resolved*, That the drawing of the first class of the lottery mentioned, be postponed to the 1st day of May next, at which time the managers are directed to proceed therein, and complete it as soon as may be, and that all the tickets, then unsold, shall be the property and at the risque of the United States :

That half per centum upon the amount of tickets sold be allowed to the persons employed by the managers, or by the several states to sell tickets, in lieu of the encouragement given by a resolution of Congress of the 30th November, 1776.

The several matters to this day referred, being postponed,  
Adjourned to ten o'clock to morrow.

## WEDNESDAY, January 7, 1778.

A letter, of the 20th of December last, from general Spencer, with sundry papers enclosed, was read :

*Ordered*, That it be referred to the board of war.

A letter, of the 5th, from the president and council of Pennsylvania, was read.



*Resolved*, That the Rev. Mr. Israel Evans be appointed chaplain to brigadier Poor's brigade.

The committee to whom were referred certain propositions contained in a letter from the committee lately sent to camp, dated White-Marsh, December 10th, 1777, and directed to gen. Washington, brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed to the afternoon.

Congress proceeded to the election of an adjutant-general, in the room of col. Pickering, who is called to the board of war, and the ballots being taken, col. Alexander Scammell was unanimously elected.

### THREE O'CLOCK, P. M.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That the following warrants issue in favor of Blair McClenachan and James Caldwell, for the payment of a quantity of salt-petre, sulphur, and lead, amounting to 61,719 30-90 dollars, purchased of them by the board of war for the use of the United States of America, and delivered to Leonard Jarvis, esq. at Dartmouth, the 25th of November last ; for which the said L. Jarvis is to be accountable, viz.

One on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, for 47,000 dollars, to be paid in loan-office certificates, bearing date November 25th, 1777, as per agreement ; and one on the treasurer for 14,719 30-90 dollars.

Congress took into consideration the report of the committee on the propositions, and, after debate,

*Resolved*, That the consideration of the two first paragraphs be postponed to Wednesday next, and the rest of the report till to-morrow.

*Resolved*, That the appointment of auditors be farther postponed.

The several matters to this day referred, being postponed,

Adjourned to ten o'clock to-morrow.

### TUESDAY, January 6, 1778.

A letter of the 4th, from E. Blaine, deputy commissary, and one, of the day, from W. Buchanan, commissary-general of purchases, were read :

*Ordered*, That they be referred to a committee of six : the members chosen Mr. Ellery, Mr. Clark, Mr. Lewis, Mr. Harnett, Mr. J. B. Smith, and M. Clingan.

The committee to whom were referred the letters from gov. Livingston and Dr. Rush, brought in a report, which was taken into consideration : Whereupon,

*Resolved*, That the clothier-general be directed to deliver to the order of the director-general as much linen and as many blankets as can be spared, to be retained in the hospital for the use of the sick :

That the clothier-general be directed to supply the convalescents with necessary clothing, in order that, when properly recovered, they may join the army :

That a member of Congress be appointed to visit the hospitals in the middle department : the member chosen, Mr. Penn.

*Resolved*, That a recommendation be sent to the clergy of all denominations in the middle district, to solicit charitable donations of woollen and linens, made or unmade, for the sick soldiers in the hospital ; and to send the same to the board of war, or any hospital, as may be most convenient.

*Resolved*, That Dr. Shippen and Dr. Rush be directed to attend Congress on the 26th day of January inst. to be examined touching certain abuses that prevail in the hospital.

*Resolved*, That the farther consideration of the report be postponed to the afternoon.

**Ordered,** That it be referred to the marine committee.

The committee on the treasury brought in a report; Whereupon,

**Resolved,** That one million of dollars be emitted under the direction of the board of treasury and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 3d day of December last, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations, viz.

15,384 bills of the denomination		15,385 bills of the denomination	
of 3 dollars	46,152	of 2 dollars	30,770
15,384 do. of 4 do.	61,536	15,385 do. of 8 do.	123,080
15,384 do. of 5 do.	76,920	15,385 do. of 30 do.	461,550
15,384 do. of 6 do.	92,304		
15,384 do. of 7 do.	107,688		1,000,000

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers, and printers of the said emission, directed on the 20th day of May last, shall extend to the said one million to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

The marine committee, to whom was referred the letter of the 18th of November last from the navy-board in the eastern department, brought in a report; Whereupon,

**Resolved,** That, considering the necessity of the case, the encouragement given by the said board, to man the ship Providence, be approved:

That the bounties given to seamen by the resolve of Congress of the 29th of March, 1777, is not to be stopped out of their wages, but deducted from their prize money, where any future prize money is obtained:

That the said navy board be supplied with a number of blank commissions, and that they be empowered to grant commissions to officers not above the rank of lieutenants, where vacancies may happen, and the good of the service absolutely requires that they should be immediately filled, but not otherwise:

That the commissary-general of purchases be directed to give an order upon the late commissary, J. Trumbull, for 500 bushels of salt, in favor of the navy board in the eastern department, unless they should be already provided therewith.

**Resolved,** That the remainder of the report be postponed.

The committee to whom was re-committed the report of the committee on the letters that passed between general Heath and lieutenant-general Burgoyne, to general Gates, brought in a report, which was read.

### THREE O'CLOCK, P. M.

Congress took in consideration the report of the committee, read just before the adjournment this morning, which was as follows:

“ That they have considered, with mature attention, the convention entered into at Saratoga betwixt major-general Gates and lieutenant-general Burgoyne, in October last, and find numbers of the cartouch boxes, and several other articles of military accoutrements, annexed to the persons of the non-commissioned officers and soldiers, in general Burgoyne's army, have not been delivered up, and that, agreeably to the spirit of the convention, and the technical interpretation of the word “ arms,” they ought to have been delivered up:

This opinion is warranted not only by the judgment of the most approved writers, but by the interpretation and practice of British officers in similar cases in the course of the present war, particularly in the capitulation of St. John's on the 2d of November, 1775:

Your committee farther report, that there are so many other circumstances attending the delivery of the arms and military stores, which excite strong

## THREE O'CLOCK, P. M.

The committee on the treasury brought in a report, which was read, whereupon Congress came to the following resolution:

Whereas the issuing-commissary who was stationed at Fort-Mifflin, has deserted to the enemy, by which circumstance, the officers, at that post, have not had it in their power to receive pay for their back-rations for want of proper certificates; therefore,

*Resolved*, That the pay-master general, or his deputy, be directed to pay the said back-rations, on an account thereof being exhibited on oath by any of the said officers to brigadier Clinton, or the commanding officer, and a warrant drawn by him for that purpose.

*Ordered*, That a warrant be drawn on Thomas Harwood, esq. commissioner of the continental loan-office in the state of Maryland, in favor of Stephen Steward, for 6000 dollars advanced him on account of the commercial committee, who are to be accountable.

The delegates from Massachusetts-Bay laid before Congress a resolution of the legislature of that state, respecting the powers of their delegates in Congress, which was read as follows:

"STATE OF MASSACHUSETTS-BAY, IN THE HOUSE OF REPRESENTATIVES,  
December 12, 1777.

Whereas the hon. John Hancock, Samuel Adams, John Adams, Elbridge Gerry, Francis Dana, and James Lovell, esqrs. have been chosen, by joint ballot of the two houses of this assembly, to represent the state aforesaid, in the American Congress, for one year, to commence on the 1st day of January next ensuing:

*Resolved*, That the above named gentlemen be, and they hereby are fully empowered, with other delegates from the American states for the term above mentioned, to concert, direct and order such further measures as to them shall appear best calculated for the establishment of right, liberty and independence to the American states, upon a basis permanent and secure for prosecuting with vigour the present just and necessary war, concluding peace, contracting alliances, regulating commerce, and guarding against encroachment and machinations of the enemies of the United States, and to adjourn to such times and places as shall appear most conducive to the public safety and advantage: and, it is further resolved, that not less than three of the above-mentioned gentlemen shall make a representation of the state; the majority of those present, after consultation, to give the sense of the state, notwithstanding it is expected that five of them will attend generally as may be. Sent up for concurrence.

"J. WARREN, *Speaker*.

"IN COUNCIL, December 13, 1777. Read and concurred,

"JOHN AVERY, *Deputy Secretary*."

A letter, of the 2d, from general Washington, with copies of letters between him and general Conway, were:

*Ordered*, That they be referred to the

A letter of the 15th of Dec. last, for

The several matters to this day referred

Adjourned to ten o'clock to-morrow

## THURSDAY, JANUARY 1, 1778.

A letter, of the 28th of December last, from Fort-Pitt, was read:

*Ordered*, That it be referred to the

A letter, of the 16th of December last, was read:

**Ordered,** That it be referred to the marine committee.

The committee on the treasury brought in a report; Whereupon,

**Resolved,** That one million of dollars be emitted under the direction of the board of treasury and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 3d day of December last, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations, viz.

15,384 bills of the denomination		15,385 bills of the denomination	
of 3 dollars	46,152	of 2 dollars	30,770
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15,384 do. of 5 do.	76,920	15,385 do. of 30 do.	461,550
15,384 do. of 6 do.	92,304		
15,384 do. of 7 do.	107,688		1,000,000

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers, and printers of the said emission, directed on the 20th day of May last, shall extend to the said one million to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

The marine committee, to whom was referred the letter of the 18th of November last from the navy-board in the eastern department, brought in a report; Whereupon,

**Resolved,** That, considering the necessity of the case, the encouragement given by the said board, to man the ship Providence, be approved:

That the bounties given to seamen by the resolve of Congress of the 29th of March, 1777, is not to be stopped out of their wages, but deducted from their prize money, where any future prize money is obtained:

That the said navy board be supplied with a number of blank commissions, and that they be empowered to grant commissions to officers not above the rank of lieutenants, where vacancies may happen, and the good of the service absolutely requires that they should be immediately filled, but not otherwise:

That the commissary-general of purchases be directed to give an order upon the late commissary, J. Trumbull, for 500 bushels of salt, in favor of the navy board in the eastern department, unless they should be already provided therewith.

**Resolved,** That the remainder of the report be postponed.

The committee to whom was re-committed the report of the committee on the letters that passed between general Heath and lieutenant-general Burgoyne, to general Gates, brought in a report, which was read.

THREE O'CLOCK, P. M.

Congress took in consideration the report of the committee, read just before the adjournment this morning, which was as follows:

“ That they have considered, with mature attention, the convention entered into at Saratoga betwixt major-general Gates and lieutenant-general Burgoyne, in October last, and find numbers of the cartouch boxes, and several other articles of military accoutrements, annexed to the persons of the non-commissioned officers and soldiers, in general Burgoyne's army, have not been delivered up, and that, agreeably to the spirit of the convention, and the technical interpretation of the word “ arms,” they ought to have been delivered up:

This opinion is warranted not only by the judgment of the most approved writers, but by the interpretation and practice of British officers in similar cases in the course of the present war, particularly in the capitulation of St. John's on the 2d of November, 1775:

Your committee farther report, that there are so many other circumstances attending the delivery of the arms and military stores, which excite strong

suspensions, that the convention has not been strictly complied with on the part of general Burgoyne, agreeably to its true spirit and intention of the contracting parties, and so many instances of former fraud in the conduct of our enemies, as to justify Congress, however cautious, to avoid even the suspicion of want of good faith, in taking every measure for securing the performance of the convention, which did not impose any new conditions, but tend to delay its execution. Of this nature your committee consider the resolution of Congress of the 25th of November last, directing general Heath "to cause to be taken down, the name and rank of every commissioned officer, and the name, former place of abode, occupation, size, age, and description of every non-commissioned officer and private soldier, and all other persons comprehended in the convention of Saratoga."

This cannot be considered as imposing any new condition, but as a measure naturally resulting from the articles of convention, which the conquering party has a right to avail itself of, and which is strictly justifiable, but no just suspicion of the want of good faith in the party surrendering presented itself. Your committee are of opinion, that the reasons, which general Burgoyne adduces for refusing a compliance, are inapplicable to the case, and they beg leave to observe, that he is totally mistaken in his appeal to the conduct of sir Guy Carleton and himself with respect to the prisoners released from Canada in August, 1776: for, notwithstanding his express declaration to the contrary in his letter of the 23d of November last to general Heath, it appears from the original list of the prisoners released from Canada which is herewith presented, the provinces, counties, and towns, to which the prisoners released that belonged, were annexed to their respective names, which, for the greater security of the conquering party, were in the hand-writing of the respective prisoners. Your committee, therefore, do not but consider general Burgoyne's refusal to give descriptive lists of the non-commissioned officers and soldiers belonging to his army, when contrasted with his former conduct and ill-grounded assertion on this occasion, as an alarming point of view; more especially when they consider, that on days previous to this refusal, he had, without just cause given, declared in a letter to general Gates, that the public faith, plighted in the convention of Saratoga, was broken on the part of these states:

This charge of a breach of public faith is of a most serious nature, pregnant with alarming consequences, and deserves greater attention, as it was dropped in a hasty expression, dictated by sudden passion, but is defended as a deliberate act of judgment, committed to writing, and sent to the general with whom he made the convention; and if credit is to be given to general Burgoyne's account of himself in his letter to general Heath of the 23d of November, he cannot be considered "of so light a character as to be involved in a serious matter of state upon a sudden impression."

The reason on which he grounds this charge is, that the officers included in the convention, have not since their arrival in Massachusetts-Bay, been accommodated with quarters agreeable to the articles of convention. Your committee beg leave to observe, that the expected arrival of so large a body of men near Boston, the devastation and destruction of the army, not long since blocked up in the city, which besieged them; and considering the great number of men rated from their men, and that the troops were accommodated in any other place within the convention, as there are not a better place in that state; though from the circumstances, the accommodation of general Burgoyne's army be such as the public could wish or be



the public faith, on this account, is not warranted either by the letter of the preliminary articles agreed on between himself and gen. Gates, on the 14th day of October, or by the spirit of the convention, signed on the 16th of the same month; since, by an examination of these articles, it will appear, that the stipulation, with respect to the quartering of officers, was not to be construed in that rigorous sense in which gen. Burgoyne affects to consider it; but, on the contrary, that it was "agreed to as far as circumstances would admit."

Your committee forbear to lay any stress on the attempt of the enemy to alter the place of embarkation from the port of Boston to that of Rhode-Island or the sound so contiguous to the port of New-York, which, as well as that of Rhode-Island, is at present in their possession; on the seemingly inadequate number of vessels (being only 26 transports sent to Rhode-Island, as appears in a letter from gen. Pigot to gen. Burgoyne, dated the 5th of December) for an army consisting of 5642 men, in a winter's voyage to Europe; or on the improbability of the enemy's being able, on so short a notice, to victual such a fleet and army for a voyage of such length; since the declaration of lieut. gen. Burgoyne, "that the public faith is broke," is of itself sufficient to justify Congress in taking every measure for securing the performance of the convention, which the laws of nations, in consequence of this conduct, will warrant.

These facts and opinions, your committee, in a matter of such high moment to the honor and safety of these states, esteem it their duty to report specially; and considering that gen. Burgoyne has not fully complied with the convention of Saratoga, particularly in not delivering up the cartouch-boxes and accoutrements; that he has expressly, and without just foundation, charged these states with a breach of public faith; that, in consequence of this declaration, whilst in our power, he may deem himself, and the army under him, absolved from their compact, and may, therefore, have refused compliance with a measure naturally resulting from the convention, and which only tended to render his officers and men insecure in case the convention, on their part, was not complied with; considering, farther, that, from the distance between America and Great-Britain, there is no opportunity of accommodating this dispute in any reasonable period of time with the sovereign of the state, in behalf of which this convention was made, and that the operations of gen. Burgoyne's army in America would not only defeat the main object of the convention, but prove highly prejudicial to the interests of these states; your committee submit the whole to the consideration of Congress, in order that such measures may be adopted as are consistent with the safety and honor of the United States."

Whereupon, Congress came to the following resolutions:

*Resolved*, That as many of the cartouch-boxes and several other articles of military accoutrements, annexed to the persons of the non-commissioned officers and soldiers, included in the convention of Saratoga, have not been delivered up, the convention, on the part of the British army, has not been strictly complied with;

<i>Massachusetts-Bay</i>	Mr. Dana,	<i>declined voting.</i>	<i>Virginia,</i>	Mr. F. L. Lee,	<i>ay</i>	<i>} div.</i>
	Lovell,	<i>ay</i>		Harvie,	<i>no</i>	
<i>Rhode-Island,</i>	Mr. Ellery,	<i>no</i>	<i>N.-Carolina,</i>	Mr. Penn,	<i>ay</i>	<i>} ay</i>
<i>Connecticut,</i>	Mr. Dyer,	<i>no</i>		Harnett,	<i>ay</i>	
<i>New-York,</i>	Mr. Lewis,	<i>ay</i>	<i>S.-Carolina,</i>	Mr. Laurens,	<i>ay</i>	<i>} ay</i>
	Duer,	<i>ay</i>	<i>Georgia,</i>	Mr. Langworthy,	<i>ay</i>	
<i>New-Jersey,</i>	Mr. Witherspoon,	<i>ay</i>		Wood,	<i>ay</i>	<i>} ay</i>
	Clark	<i>no</i>				
<i>Pennsylvania,</i>	Mr. Roberdeau,	<i>ay</i>				
	J. B. Smith,	<i>ay</i>				
	Clingan,	<i>ay</i>				
	J. Smith,	<i>ay</i>				

So it passed in the affirmative.

*Resolved*, That the refusal of lieut. gen. Burgoyne to give descriptive lists of the non-commissioned officers and privates belonging to his army, subsequent to his declaration that the public faith was broke, is considered by Congress in an alarming point of view; since a compliance with the resolution of Congress could only have been prejudicial to that army in case of an infraction of the convention on their part.

*Resolved*, That the charge made by lieut. gen. Burgoyne, in his letter to major-gen. Gates, of the 14th of November, of a breach of the public faith on the part of these states, is not warranted by the just construction of any article of the convention of Saratoga; that it is a strong indication of his intention; and affords just ground of fear, that he will avail himself of such pretended breach of the convention, in order to disengage himself, and the army under him, of the obligation they are under to these United States; and that the security, which these states have had in his personal honor, is hereby destroyed.

*Resolved*, therefore, That the embarkation of lieut. gen. Burgoyne, and the troops under his command, be suspended till a distinct and explicit ratification of the convention of Saratoga shall be properly notified by the court of Great-Britain to Congress.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, January 9, 1778.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 20,000 dollars be advanced to John Baynton, pay-master at Fort-Pitt, for the payment of the troops in the western department; the said sum to be delivered to major Ewing, to be conveyed to the said pay-master, who is to be accountable:

That a warrant issue on Thomas Harwood, esq. commissioner of the loan-office in the state of Maryland, for 6492 66-90 dollars, in favor of Gordon & Patton, saddlers, in discharge of col. George Baylor's order of the 27th of Dec. last, for that sum, in their favor, for equipping his regiment of light dragoons; the said col. Baylor to be accountable.

The committee appointed to take into consideration the letter of the 2d, from the council and assembly of the state of Pennsylvania, brought in a report, which was read.

The committee to whom were referred the letters from William Buchanan, commissary-general, and E. Blaine, deputy commissary-general of purchases, brought in a report, which was read.

#### THREE O'CLOCK, P. M.

Congress resolved itself into a committee of the whole, to consider the report of the committee on the propositions of the committee lately sent to camp, and, after some time spent thereon, the president resumed the chair, and Mr. F. L. Lee, reported, that the committee of the whole Congress have had under consideration the matter to them referred, but, not having come to a conclusion, desire leave to sit again.

*Resolved*, That to-morrow, Congress be resolved into a committee of the whole, to consider farther the report of the committee on the proposition from the committee lately sent to camp.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, January 10, 1778.

A letter, of the 24th, and 28th of Dec. from brigadier Hand, at Fort-Pitt, to the board of war; and one, of the 9th, from W. Palfrey, pay-master gen. to the board of treasury, were laid before Congress, and read:

A letter, of the 2d, from gen. Washington, at Valley-Forge, was read, recommending major Clark to the notice of Congress:

**Ordered,** That the letters from gen. Washington and brigadier Hand, be referred to the board of war.

**Resolved,** That his excellency gov. Henry be requested to enquire of Gabriel Jones and John Walker, esqrs. two of the commissioners appointed to repair, without delay, to Fort-Pitt, agreeably to a resolution of the 20th of November last, whether they accept the appointment, and if they, or either of them, decline, to appoint a proper person or persons in his or their stead, who shall enter on the business without delay.

Congress proceeded to the election of two auditors to audit and settle the public accounts in the main army, and the ballots being taken, Matthew Clarkson and John Clark, esqrs. were elected.

**Ordered,** That the letter from W. Palfrey be referred to the board of treasury.

The committee on the treasury brought in a report: Whereupon,

**Ordered,** That 276 45-90 dollars be advanced to John Penn, esq. delegate from the state of North-Carolina, and charged to the said state, as part of the 500,000 dollars, appropriated for the use of the said state:

That a warrant issue on John Gibson, auditor-general, for 500 dollars, in favor of William Palfrey, esq. pay-master general, for which he is to be accountable:

That 40 dollars be paid to Mons. Lotbinier, a Canadian Chaplain, for his pay due this day:

That 500 dollars be advanced to capt. William Scott, for the pay, and to purchase blankets for the use of his company, belonging to one of the 16 battalions, commanded by col. Thruston; the said capt. Scott to be accountable.

### THREE O'CLOCK, P. M.

The committee to whom was referred the motion for appointing a committee of Congress to repair to camp, brought in a report, which was taken into consideration, and, thereupon, Congress came to the following resolution:

Whereas, it is essential to the promotion of good discipline and economy in the army of these states, that the most speedy and effectual measures should be adopted for reducing the number of regiments in the continental service, and for reforming the abuses which have too long prevailed in the different departments belonging to the army:

**Resolved,** That three members of Congress, together with three members of the board of war, be appointed a committee to repair to gen. Washington's head-quarters, as soon as may be, and, in concert with him, to form and execute a plan for reducing the number of battalions in the continental service, reporting to Congress the names and ranks of such officers of merit now in the service as cannot be annexed to the battalions retained on the establishment, taking particular care in the appointment of officers to these battalions not to annex officers belonging to one state, to the battalions raised by another state; to recommend to Congress the necessary appointments of general officers; to remove officers in the civil departments of the army for misconduct, negligence, or incompetency, and to appoint others in their room, till the pleasure of Congress can be known; to remove all just causes of complaint relative to rank, confining it as nearly as possible to the military line; to report upon the expediency of appointing brigade instead of regimental chaplains, and also to remove from office any chaplain for ignorance or negligence in the duties of his office or for immoral conduct; to determine, and report as soon as may be, to Congress, their opinion of the necessary reinforcements for the cavalry, artillery, and infantry, and the best mode of obtaining them; to report such alterations as they shall deem expedient in the regulations of the several departments, and, in general, to adopt

*Resolved*, That the refusal of lieutenant-general Burgoyne to give descriptive lists of the non-commissioned officers and privates belonging to his army, subsequent to his declaration that the public faith was broke, is considered by Congress in an alarming point of view; since a compliance with the resolution of Congress could only have been prejudicial to that army in case of an infraction of the convention on their part.

*Resolved*, That the charge made by lieutenant-general Burgoyne, in his letter to major-general Gates, of the 14th of November, of a breach of the public faith on the part of these states, is not warranted by the just construction of any article of the convention of Saratoga; that it is a strong indication of his intention; and affords just ground of fear, that he will avail himself of such pretended breach of the convention, in order to disengage himself, and his army under him, of the obligation they are under to these United States, and that the security, which these states have had in his personal honor, is hereby destroyed.

*Resolved*, therefore, That the embarkation of lieutenant-general Burgoyne, and the troops under his command, be suspended till a distinct and explicit ratification of the convention of Saratoga shall be properly notified by the court of Great-Britain to Congress.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, January 9, 1778.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 20,000 dollars be advanced to John Baynton, paymaster at Fort-Pitt, for the payment of the troops in the western department. The said sum to be delivered to major Ewing, to be conveyed to the said paymaster, who is to be accountable:

That a warrant issue on Thomas Harwood, esq. commissioner of the land office in the state of Maryland, for 6492 66-90 dollars, in favor of Gabe Patton, saddlers, in discharge of col. George Baylor's order of the 21st Dec. last, for that sum, in their favor, for equipping his regiment of light dragoons; the said col. Baylor to be accountable.

The committee appointed to take into consideration the letter of the 10th from the council and assembly of the state of Pennsylvania, brought in a report, which was read.

The committee to whom were referred the letters from William Becken commissary-general, and E. Blaine, deputy commissary-general of justice, brought in a report, which was read.

#### THREE O'CLOCK, P. M.

Congress resolved itself into a committee of the whole, to consider the report of the committee on the propositions of the committee lately sent by camp, and, after some time spent thereon, the president announced the chair, and Mr. F. L. Lee, reported, that he had under consideration the matter, and desired leave to go to a conclusion, desire leave to go.

*Resolved*, That to-morrow, Congress, to consider farther the matter from the committee lately sent.

Adjourned to ten o'clock to-morrow.

#### SATURDAY

A letter, of the 24th, and 28th, to the board of war; and one, of the 2d, to the board of treasury, were laid on the table.

A letter, of the 2d, from general Clark, commending major Clark to the service, was read.

*Resolved*, That the governor and council of the state of Maryland be desired forthwith to take measures for securing the said salt for the use of the United States, and to cause the same, without delay, to be delivered to the commissary-general of purchases, or any of his deputies ; and in case the information given to Congress should be ill founded, and that the cargo above-mentioned should be *bona fide* the property of any faithful citizen of these states, or of any foreigner, that the governor and council of the state of Maryland be desired to seize the same, as well as all other quantities of salt, and to cause the same to be delivered, agreeably to the directions above mentioned.

Adjourned to ten o'clock to-morrow.

TUESDAY, *January 13, 1778.*

A letter from Mons. de la Balme ; one, of the 13th of December last, from colonel la Radiere, with a memorial from the same ; one, of the 6th of December, from baron Steuben, at Portsmouth, in New-Hampshire, with sundry letters, recommending him to Congress ; one of the 10th inst. from James Mease, at Lancaster ; one, of the 18th of December, from lieutenant-colonel Campbell, a prisoner at Concord, in the state of Massachusetts-Bay ; one of the 17th, and one of the 25th of December last, from general Heath ; also, one of the 4th, one of the 5th, and one of the 9th, from gen. Washington ; and one of the 10th, from capt. Barry, attending in York-town, were read :

*Ordered*, That the letter from Mons. de la Balme, the letter and memorial from colonel Radiere, the letter from lieutenant-col. Campbell, and the letter of the 5th, and that of the 9th, from gen. Washington, be referred to the board of war :

That the letter from Mr. Mease be referred to the board of treasury, and the letter from captain Barry to the marine committee.

Whereas, the declaration of lieutenant-gen. Burgoyne, in his letter of the 14th of November last, to major-gen. Gates, " that the public faith is broke on the part of these states, and other reasons set forth in the resolutions of Congress of the 8th of January inst. compelled Congress to adopt measures for securing the performance of the convention of Saratoga on the part of the court of Great-Britain, whereby the embarkation of lieutenant-general Burgoyne's army has been necessarily suspended ; and whereas, the subsistence of that army, in the state of Massachusetts-Bay, is not only extremely burthensome to these states, but tends greatly to distress the inhabitants of the country wherein they are quartered, and it is contrary to the principles of justice, that these states should suffer inconveniences from the conduct of lieutenant-gen. Burgoyne, which could not be foreseen at the time when the convention of Saratoga was entered into :

*Resolved*, That general Washington be directed again to require of general Howe proper passports for vessels to transport to Boston, salted meat, flour, and fuel, necessary for the subsistence of lieutenant-general Burgoyne's army, during the time they shall be necessarily detained in the state of Massachusetts-Bay, in consequence of the resolutions of Congress of the 8th of January instant, and that general Howe be informed, that in case of his refusal to comply with this just request, these states will not deem themselves answerable for subsisting general Burgoyne's army, agreeably to the terms of the convention of Saratoga ; but shall think themselves at liberty to remove or separate the said army, to such parts of the state of Massachusetts-Bay, as they may be conveniently subsisted in, till the convention of Saratoga shall be ratified by the court of Great-Britain, and properly notified to Congress.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,



such other measures as they shall judge necessary for introducing order and promoting discipline and good morals in the army: the members of Congress chosen, Mr. Dana, Mr. Reed, and Mr. Folsom.

Adjourned to ten o'clock on Monday.

#### MONDAY, January 12, 1778.

The president laid before Congress a packet containing blank papers, which he informed Congress he received yesterday from a John Folger, who says he was sent by the commissioners at Paris, with despatches to Congress:

*Ordered*, That Mr. Dana and the board of war examine the said John Folger respecting this packet.

Congress proceeded to the election of three members of the board of war, to join the three members of Congress, and proceed to camp for the purpose mentioned in the resolution passed on Saturday, and, the ballots being taken major-general Gates, major-gen. Mifflin, and col. Pickering, were elected.

*Resolved*, That another member of Congress be added to the foreign committee: the member chosen, Mr. Harvie.

A letter, of the 10th, from Samuel and Robert Parviance, at Baltimore, was read.

#### THREE O'CLOCK, P. M.

The committee appointed to examine J. Folger respecting the despatches with which he was charged by the commissioners at Paris, laid before Congress his examination, reduced to writing, which was read; Whereas,

*Ordered*, That the president inform governor Caswell, of North Carolina, of the purport of the said examination, and request him to examine the persons who came over in the vessel with J. Folger, and inform Congress of every circumstance that may come to his knowledge respecting the despatches:

That the board of war be directed to confine the said John Folger in the prison, till advice can be received from gov. Caswell, or till further order from Congress.

*Resolved*, That copies of the report of the committee on the letters passed between gen. Heath and gen. Burgoyne, and general Burgoyne's letter to gen. Gates, together with the resolutions of Congress thereon, approved by the president, and attested by the secretary, be transmitted to the several states, to gen. Washington, and two copies to major-general Heath, who is directed to furnish lieutenant-gen. Burgoyne with one of them, and to send the vessels which may have arrived, or which shall arrive, for the transportation of the army under lieutenant-general Burgoyne, to quit, without delay, the port of Boston.

*Resolved*, That the council of Massachusetts. Now he requested that general Heath the necessary a placed over the troops of general, of 1500 or more, and the enemy shall have left the president council shall judge necessary

Whereas, Congress have resolved that Pennsylvania-Farmer is arrived at the property of Mr. Gerardus but now with the enemy in the gates representing the state of Congress, that proper measures whereas the public service will expeditious measures are not the United States:

*Resolved*, That the governor and council of the state of Maryland be desired forthwith to take measures for securing the said salt for the use of the United States, and to cause the same, without delay, to be delivered to the commissary-general of purchases, or any of his deputies ; and in case the information given to Congress should be ill founded, and that the cargo above-mentioned should be *bona fide* the property of any faithful citizen of these states, or of any foreigner, that the governor and council of the state of Maryland be desired to seize the same, as well as all other quantities of salt, and to cause the same to be delivered, agreeably to the directions above mentioned.

Adjourned to ten o'clock to-morrow.

TUESDAY, *January 13, 1778.*

A letter from Mons. de la Balme ; one, of the 13th of December last, from colonel la Radiere, with a memorial from the same ; one, of the 6th of December, from baron Steuben, at Portsmouth, in New-Hampshire, with sundry letters, recommending him to Congress ; one of the 10th inst. from James Mease, at Lancaster ; one, of the 18th of December, from lieutenant-colonel Campbell, a prisoner at Concord, in the state of Massachusetts-Bay ; one of the 17th, and one of the 25th of December last, from general Heath ; also, one of the 4th, one of the 5th, and one of the 9th, from gen. Washington ; and one of the 10th, from capt. Barry, attending in York-town, were read :

*Ordered*, That the letter from Mons. de la Balme, the letter and memorial from colonel Radiere, the letter from lieutenant-col. Campbell, and the letter of the 5th, and that of the 9th, from gen. Washington, be referred to the board of war :

That the letter from Mr. Mease be referred to the board of treasury, and the letter from captain Barry to the marine committee.

Whereas, the declaration of lieutenant-gen. Burgoyne, in his letter of the 14th of November last, to major-gen. Gates, " that the public faith is broke on the part of these states, and other reasons set forth in the resolutions of Congress of the 8th of January inst. compelled Congress to adopt measures for securing the performance of the convention of Saratoga on the part of the court of Great-Britain, whereby the embarkation of lieutenant-general Burgoyne's army has been necessarily suspended ; and whereas, the subsistence of that army, in the state of Massachusetts-Bay, is not only extremely burdensome to these states, but tends greatly to distress the inhabitants of the country wherein they are quartered, and it is contrary to the principles of justice, that these states should suffer inconveniences from the conduct of lieutenant-gen. Burgoyne, which could not be foreseen at the time when the convention of Saratoga was entered into :

*Resolved*, That general Washington be directed again to require of general Howe proper passports for vessels to transport to Boston, salted meat, flour, and fuel, necessary for the subsistence of lieutenant-general Burgoyne's army, during the time they shall be necessarily detained in the state of Massachusetts-Bay, in consequence of the resolutions of Congress of the 8th of January instant, and that general Howe be informed, that in case of his refusal to comply with this just request, these states will not deem themselves answerable for subsisting general Burgoyne's army, agreeably to the terms of the convention of Saratoga ; but shall think themselves at liberty to remove or separate the said army, to such parts of the state of Massachusetts-Bay, as they may be conveniently subsisted in, till the convention of Saratoga shall be ratified by the court of Great-Britain, and properly notified to Congress.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That William Palfrey, esq. pay-master general, be directed to order William Bedlow, his assistant, at Peekskill, to pay up the troops due to the 31st of December last; and that Jonathan Trumbull, jun. esq. deputy pay-master general, be directed to pay from that time, all the troops under the command of any officer or officers in the northern department, or state of New-York:

That the pay-master general be empowered to appoint an assistant in his office, and a clerk for six months, in addition to one already employed by him:

That 70 dollars a month, and two rations a day, be hereafter allowed to each assistant, and 50 dollars a month to each clerk, in the office of pay-master or deputy pay-master general.

The board of war, to whom was referred the letter of the 20th of December from general Spencer, brought in a report; Whereupon,

*Resolved*, That it be earnestly recommended to the states of New-Hampshire, Massachusetts-Bay, Rhode-Island, and Connecticut, immediately to furnish, and keep up constantly in the state of Rhode-Island and Providence Plantations, for the defence of the said state, their several quotas of troops, as adjusted by the resolution of a committee from the said states and the state of New-York, which met at Springfield, the 30th of July last:

That a deputy quarter-master general, a deputy adjutant-general, a deputy muster-master general, and a deputy commissary-general of issues, be appointed to act, *pro tempore*, for the troops aforesaid: that the deputy commissary-general of issues be appointed by the council of war of the state of Rhode-Island and Providence Plantations; that the deputy quarter-master general, deputy adjutant-general, and deputy muster-master general be appointed by the officer commanding at that post; and that each of the foregoing officers take the oath of fidelity and office required before they sit upon the execution of their respective offices:

That general Spencer, or the commander of the forces aforesaid, be informed, that if provisions cannot be procured at reasonable rates, he shall be obliged to impress them, he shall direct certificates to be given promising payment at such rates as shall be settled by the convention of committees to meet at New-Haven, the 15th instant, in pursuance of a resolution of Congress of the 23d of November last; and that this resolution have retrospect as to all accounts not liquidated for provisions or service supplied or performed to the 1st day of November, which are to be paid at the convention prices, and all other unliquidated accounts for service or provisions supplied or performed since that period to the date of the convention, to be paid for at the prices for which they are contracted.

*Resolved*, That general Spencer's resignation, for the reasons stated by him in his letter of the 20th of December, be accepted, when he shall be relieved from his present command by a suitable officer of the rank of major-general, who is to be immediately sent to take the command of the troops raised for the defence of the state of R

*Resolved*, That such parts of the money, be referred to the board of allowance as in a separate department.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY

*Resolved*, That two members be a business of the board of war, till they can meet: the members chosen, M

Congress took into consideration from W. Buchanan, and E. Blaine;

*Resolved*, That the order of the

cient voucher to the commissary, or deputy commissary-general of purchases, for the delivery of provisions for the use of the prisoners of war.

*Resolved*, That by the resolution of the 22d of October, 1777, the commissary-general of purchases is invested with powers adequate to, and sufficient for, the purpose of importing salt for the use of the army.

*Resolved*, That the powers and directions contained in the resolution aforesaid, for procuring salt, be extended to the article of rum for the army.

*Ordered*, That the farther consideration of the report be postponed till the afternoon.

THREE O'CLOCK, P. M.

*Resolved*, That the board of war of the state of Massachusetts-Bay be requested to import from the middle or southern department 15,000 barrels of flour, to supply the magazines of the eastern district for the next campaign, over and above what may be imported by the deputy commissary-general of purchases for that purpose; and deliver the same to the deputy commissary-general of issues or his deputies, there to be deposited agreeably to the orders of the commanding officer in that district, and that compensation be made to the board for their trouble herein:

That the said board be empowered to purchase, charter or hire on freight, as they may judge most for the interest of these states, vessels for this purpose, and draw on Congress for the money to purchase the flour, or on W. Aylett, esq. deputy commissary-general of purchases in Virginia, for so much of the flour as they may order to be shipped from Virginia; that if the whole quantity of flour cannot be readily obtained, the board be empowered to make up the deficiency by importing rice from South-Carolina.

*Ordered*, That a warrant for 50,000 dollars be drawn on the commissioner of the loan-office in the state of Massachusetts-Bay, in favor of the said board of war, for the purpose mentioned in the foregoing resolution.

The commissioners of claims report,

That there is due to Dr. John Houston, for his and his assistant's pay, while they acted in a battalion of York county associators, commanded by col. Donaldson, as per brigadier Mercer's orders to R. Dallam, pay-master, 63 45-90 dollars:

To the hon. Eliphalet Dyer, for the expenses of a committee of Congress, sent to the assembly of the state of Pennsylvania on public business, 127 39-90 dollars:

To the hon. Elbridge Gerry, for the expenses of himself and Mr. Jones on a committee to confer with gen. Washington, 145 78-90 dollars:

To capt. Ephraim Pennington, for the pay of a detachment of York county militia, raised for the purpose of guarding public stores in the town of York, by order of the board of war, 646 67-90 dollars:

*Ordered*, That the said accounts be paid.

Whereas baron Steuben, a lieutenant-general in foreign service, has, in a most disinterested and heroic manner, offered his services to these states in the quality of a volunteer:

*Resolved*, That the president present the thanks of Congress, in behalf of these United States, to baron Steuben, for the zeal he has shewn for the cause of America, and the disinterested tender he has been pleased to make of his military talents; and inform him, that Congress cheerfully accept of his service as a volunteer in the army of these states, and wish him to repair to gen. Washington's quarters as soon as convenient.

Congress resumed the consideration of the report of the committee on the letters from W. Buchanan and E. Blaine; Whereupon,

*Resolved*, That a deputy commissary-general of purchases be appointed for the middle district, in addition to E. Blaine, and that the commissary-

general of purchases, after consulting with Mr. Blaine, be directed to assign the part of the district in which the additional deputy commissary-general shall act.

*Resolved*, That the commissary's system be referred to a committee of three, and that they be directed to revise the same, and to report such alterations therein as they shall deem best calculated to answer the end of its institution: the members chosen, Mr. Clark, Mr. J. B. Smith, and Mr. Gerry.

*Resolved*, That gen. Heath be directed to appropriate to the use of the troops in the continental service, and of the prisoners in the eastern district, such of the salted provisions there, belonging to the United States, as cannot be preserved for the next campaign.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Maryland, for 10,000 dollars in favor of the marine committee, to answer a demand made by Samuel and Robert Purviance, continental agents in Baltimore; the said committee to be accountable:

*Resolved*, That Ebenezer Hancock, esq. deputy pay-master general of the eastern district, be directed to appoint, forthwith, an assistant pay-master, constantly to attend and pay the army stationed in or near Providence, for the defence of Rhode-Island and Providence Plantations, applying to Congress, from time to time, for the necessary supplies of money for the use; and that the commanding officer in the said state be fully empowered to draw on the said assistant pay-master for the necessary supplies of the army aforesaid.

*Ordered*, That 350,000 dollars be advanced to the board of war, of which they are to transmit 100,000 dollars to Ebenezer Hancock, deputy pay-master general at Boston, and 250,000 dollars to his assistant, in the care of Rhode-Island and Providence Plantations; the said Ebenezer Hancock be furnished with a copy of this order, and to be accountable for the whole.

*Ordered*, That 700,000 dollars be advanced to the board of war, to be by them transmitted, 500,000 dollars to William Palfrey, pay-master general, and 200,000 dollars to William Bedlow, his assistant, at Peekskill; the said pay-master general to be accountable.

*Resolved*, That gen. Heath be informed, it is the intention of Congress that officers in the departments of the commissary, quarter-master, or chief-thier-general, should receive the money required by them to make the necessary purchases, by applying to the officers at the head of the respective departments, and that he make no advances in future to any of them, unless it shall be absolutely necessary, in which case, he is to inform the board of treasury of the sums advanced, and the particular circumstances of the case.

*Ordered*, That 4000 dollars be advanced to William Palfrey, pay-master general, for the use of the North-Carolina light-horse; the said pay-master general to be accountable.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, JUNE 12, 1778

*Resolved*, That a committee of three be appointed to examine into the situation of the state of Georgia: the members, Mr. Lee and Mr. Dyer.

The committee appointed, in conjunction with the committee on the army, brought in a report on the necessity and provisions for the army, brought in a number of amendments; after which,

In lieu of the whole, "That the board of treasury be directed to pay immediately to the president of the executi-



nia on the subject of purchasing flour for the army, and laying up magazines, and if it should appear, that the said state have taken effectual measures for procuring the same, that the board of war direct the transportation thereof to the army, or such magazines as they may think proper; but, if such measures have not been taken for that purpose, as the board of war may think will be certain and effectual, then the board of war to appoint suitable persons to execute that business."

<i>N.-Hampshire</i> , Mr. Folsom,	ay	} ay	<i>Pennsylvania</i> , Mr. J. B. Smith,	ay	} ay
	Frost,			Clingan,	
<i>Massa'tts-Bay</i> , Mr. Gerry,	no	} no		James Smith,	} no
	Dana,		<i>Virginia</i> ,	Mr. F. L. Lee,	
	Lovell,	} ay		Harvie,	} no
<i>Rhode-Island</i> , Mr. Ellery,	ay		<i>N.-Carolina</i> ,	Mr. Penn,	
<i>Connecticut</i> , Mr. Dyer,	ay	} no		Harnett,	} no
<i>New-York</i> , Mr. Lewis,	no		<i>S.-Carolina</i> ,	Mr. Laurens,	
	Duer,	} ay	<i>Georgia</i> ,	Mr. Langworthy,	} no
<i>New-Jersey</i> , Mr. Witherspoon,	ay			Wood,	
	Clark,				

So it passed in the negative.

THREE O'CLOCK, P. M.

Congress proceeded on the report of the committee under debate in the forenoon; Whereupon,

*Resolved*, That one or more proper persons be immediately employed by the board of war, on the best terms in their power, to purchase 30,000 barrels of flour, or wheat equivalent, and have it ground into flour, and to deposite 12,000 barrels, part thereof, at or near Lancaster, 8,000 barrels at or near Reading, 6,000 barrels at or near Bethlehem, 2,000 barrels at Downingtown, and 2,000 barrels at Pottsgrove:

That the commissioner or commissioners employed to execute this business, have full power and authority to employ all mills, millers, and coopers necessary, on the best terms they can, to complete the said quantity of flour with all possible expedition:

That the commissioner or commissioners be empowered to hire or impress wagons sufficient to make the necessary transportation of the flour to the places where it is to be deposited, and to pay the hire of the said wagons, at the same rate paid by the quarter-master general:

That the board of war be empowered to limit the prices to be given for the said wheat and flour, and to give such orders and directions to the commissioners as they shall think proper or necessary, from time to time: provided, that no limitation to be made by the board of war, with respect to price, shall contravene any acts of the legislature of Pennsylvania, or any of the regulations which may be made hereafter by the convention of committees which is to meet at New-Haven, in Connecticut, on this 15th day of January:

That these magazines, being established without the interference of the commissary-general, or his officers, shall, when necessary, be ordered under the direction of the issuing commissary-general by the board of war:

That gen. Washington be directed to support the commissioners in the execution of their duty, with military force, if necessary:

That the board of war be empowered to direct the said commissioners to purchase any fat cattle and salted meat they may meet with in their tours through the country, on the best terms in their power, and deliver the same to the commissary-general of issues, or his deputies, taking their accountable receipts for what they so deliver:

That the board of war enquire of his excellency Thomas Wharton, esq. president of the council of the state of Pennsylvania, what measures have been taken by the legislature of that state, for laying up magazines for the army;

and if it should appear to the board, after such enquiry, that measures for that purpose have been taken adequate to the present critical situation of the army with respect to supplies, they be authorized and directed to suspend the execution of the whole, or such parts of the foregoing resolutions, as they shall deem most conducive to the general weal.

The board of war brought in a report; Whereupon,

*Resolved*, That the board of war be authorized to direct colonel Flower to make a contract with Mr. Whitehead Humphreys, on the terms of the former agreement, or such other as colonel Flower shall deem equitable, for making a quantity of steel, for the supply of the continental artificers and works with that necessary article; and as the iron made at the Andover works only will with certainty answer the purpose of making steel, that col. Flower be directed to apply to the government of New-Jersey to put a proper person in possession of these works, (the same belonging to persons who adhere to the enemies of these states) upon such terms as the government of the state of New-Jersey shall think proper; and that col. Flower contract with the said person for such quantity of iron as he shall think the service requires.

*Resolved*, That a letter be written by the board of war to the governor and council of the state of New-Jersey, setting forth the peculiarity of the demand for these works, being the only proper means of procuring iron for steel, an article without which the service must irreparably suffer; and that the said governor and council be desired to take such means as they shall think most proper for putting the said works in blast, and obtaining a supply of iron without delay.

*Resolved*, That the memorial of the chevalier Armand be referred to the committee appointed by Congress to repair to camp for the reformation of the army:

That the letter from col. Alexander Scammel to gen. Folsom, which was referred to the board of war, be referred to the committee appointed to reform the army; and that they be instructed to enquire, in their progress to camp, into the state of the clothing department at Lancaster, and to take such measures for the relief of the New-Hampshire troops as shall be consistent with regard to the general wants of the army.

The board of war having reported, that, in pursuance of the resolution of Congress of the 8th of November last, they have entered into articles of agreement with Mr. Fouquet, the father and his son, and have engaged them in the service of the United States;

*Resolved*, That in compliance with the said agreement, Mr. Fouquet, the father, have the brevet rank of captain, and Mark Fouquet, the son, the brevet rank of lieutenant of artillery in the army of the United States, and that their brevets bear date from the 17th of November last, the day the contract was entered into.

A memorial from W. Buchanan, commissary-gen. of purchases, was read:

*Ordered*, That it be referred to the board of war.

A proposition being laid before Congress for supplying the army with whiskey, &c. at certain stipulated prices,

*Ordered*, That it be referred to the board of war, who are directed to report thereon.

Adjourned to ten o'clock to-morrow.

FRIDAY, January 16, 1778.

The board of war brought in a report, which was taken into consideration, and after some time spent thereon,

*Resolved*, That it be re-committed.

## THREE O'CLOCK, P. M.

A letter, of the 11th, from governor Johnson, of Maryland, was read :

*Ordered*, That it be referred to the board of war.

Congress took into consideration the report of the committee on the letter of the 2d, from the council and assembly of the state of Pennsylvania; Whereupon,

*Resolved*, That Congress highly applaud the rising spirit of the inhabitants of Pennsylvania, to regain the capital of their state and drive out our cruel invaders; that Congress are ready and willing with all their power to co-operate with them for effecting this salutary purpose; that to this end, the committee appointed to go to the camp, be directed to consult with the president and council of the state of Pennsylvania, and with gen. Washington, on the subject, and if upon consultation the measure shall be deemed practicable, that they be fully empowered to call upon the neighboring states for such aids as they shall think necessary, and take every measure which they shall think proper for effecting the end proposed.

*Resolved*, That Mr. J. B. Smith be added to the committee for printing the journals of Congress.

*Ordered*, That the letter of the 18th of December from lieutenant-colonel Campbell, which was referred to the board of war, be referred to the committee going to camp.

*Ordered*, That the letters of the general officers, which general Washington delivered to the committee lately sent to camp, and which were laid upon the table, agreeably to the order of Congress, for the perusal of the members, be returned to the general by the committee now going to camp.

Adjourned to ten o'clock to-morrow.

## SATURDAY, January 17, 1778.

Mr. Carroll and Mr. Forbes, two of the delegates from Maryland, attended and produced the credentials of their appointment, which were read as follows :

“ BY THE GENERAL ASSEMBLY OF THE STATE OF MARYLAND, *Dec. 22d*, 1777.

“ *Resolved*, That Samuel Chase, George Plater, Charles Carroll, of Carrollton, Thomas Stone, James Forbes, and John Henry, jun. esqrs. or any two of them, be delegates to represent this state in Congress, for and during the term of one year.

By order,

“ A. C. HANSON, C. S.

“ G. DUVALL, C. H. D.”

The committee on the treasury brought in a report; Whereupon,

*Resolved*, That ten million of dollars be borrowed on the credit of the United States, at an annual interest of six per cent. and that loan-office certificates of the following denominations be forthwith struck, under the direction of the treasury board, and signed by Michael Hillegas, esq. treasurer, or Samuel Hillegas, and countersigned by the respective commissioners who shall borrow the money, viz :

3333 certificates of 200 dollars each,	666,600	3333 certificates of 600 dolls. each,	1,999,800
3333 do. of 300 do.	999,900	3334 do. of 1000 do.	3,334,000
3333 do. of 400 do.	1,333,200		
3333 do. of 500 do.	1,666,500		
			<u>10,000,000</u>

*Resolved*, That the committee to whom was referred the letter from the council of safety of New-York, be discharged from that service.

Adjourned to ten o'clock on Monday.

## MONDAY, January 19, 1778.

A letter, of the 18th, from W. Shippen, jun. director-general, and one, of the 12th, from Jonathan Hudson, at Baltimore, were read :

*Ordered*, That the last be referred to the board of treasury.

*Resolved*, That Mr. Forbes be added to the committee of commerce.

*Resolved*, That a member from Maryland be elected for the marine committee; the member chosen, Mr. Forbes.

*Resolved*, That four members be added to the board of treasury, and that any three of the members form a board, and be empowered to proceed to business: The members chosen, Mr. Clark, Mr. Roberdeau, Mr. Pates and Mr. Langworthy.

A petition from capt. Durkee, lieut. Spaulding, and Timothy Pierce, presented:

*Ordered*, That it be referred to the committee appointed to go to camp.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 500 dollars be advanced to the board of war, at their request, to enable them to send off the several sums of money ordered by Congress to camp, to Albany, and to Boston; the said board to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to a detachment of York county militia, commanded by capt. Ephraim Pennington, appointed as guards to the public stores, &c. in the town of York, for parts of rations retained by the issuing commissary, 73 66-90 dollars:

*Ordered*, That the said account be paid.

Congress resumed the consideration of the report of the marine committee of the 8th inst. Whereupon,

*Resolved*, That officers of the navy, not in actual service, be entitled to their pay, but not to rations, nor to the subsistence money allowed by the resolution of the 25th of July, 1777.

Congress took into consideration the report of the committee on the allowance to be made to officers captured by the enemy: Whereupon,

*Resolved*, That all continental officers in the land service, who are or may be captured by the enemy, be allowed their pay while in the enemy's possession, and also when admitted on their parole, for so long time as they continue to be officers of the United States, and liable to be called into service upon being released from their captivity; and that their rations be allowed them during the term of their captivity; deducting therefrom such supplies as they may, in that time, have received from the enemy, or from the commissary of prisoners:

That all flying-camp and militia officers captured by the enemy, while in the service of the United States, be allowed their pay while in the enemy's possession; and also their rations during the term of their captivity, deducting therefrom such supplies as they may, in that time, have received from the enemy, or the commissary of prisoners; and also that pay be allowed to such flying-camp and militia officers, who have been or may be admitted to their parole for so long time as the soldiers under their respective commands were ordered into service.

The board of war, to which referred, brought in a report: V

*Resolved*, That copies of general orders of purchases, for provisions from South-Quay, & Lina, to Elkridge-Landing, be transmitted to the governor, and that it be earnestly recommended that a sufficient number of wagons and persons, for transporting provisions, be stationed in their respective sta-

on such other as they shall deem more eligible, and to open proper roads, if necessary, for such purpose.

*Resolved*, That the said governors be desired to co-operate with each other in this matter, and to communicate, from time to time, to the board of war, their opinions and proceedings relative thereto :

That the governors of the respective states above mentioned, be authorized to draw bills on the continental treasury, for such sums as may be necessary for procuring wagons and proper boats for the purpose specified in the foregoing resolution.

A letter, of the 6th, from brigadiers M'Intosh, Knox, Maxwell, Poor, Weedon, Huntington, Scott, Patterson, and Varnum, and a letter, of the 12th, from major-gen. Green, respecting the promotion of gen. Conway, were read :

*Ordered*, To lie on the table.

A letter, of the 31st, of Oct. last, from Mr. Ferd. Joseph Sebast. de Brahme ; one, of the 20th, and one of the 31st Dec. from gov Clinton, of New-York, and one, of the 7th and 8th inst. from gov. Livingston, of New-Jersey, were read :

*Ordered*, That they be referred to the board of war.

A letter of the 23d of Dec. from J. Adams, was read, informing Congress of his accepting the office of commissioner to the court of France.

A letter, of the 13th, from gen. Washington, was read, wherein he recommends the chevalier de Maduit du Plessis to be promoted to the rank of lieutenant-colonel, adding that "the gallant conduct of this young gentleman, at Brandywine, Germantown, and his distinguished services at Fort-Mercer, where he united the offices of engineer and commandant of artillery, entitle him to the particular notice of Congress ;" that "he made several judicious alterations in the works at Red-Bank, shewed great good conduct during the action, in which the Hessians were repulsed ; that after the evacuation was determined on, he became the means of saving some valuable artillery and stores, and cheerfully undertook, as volunteer, the hazardous operation of blowing up the magazine, &c. without apparatus usually provided upon such occasions ;" concluding in Mr. du Plessis's favor, "that he possesses a degree of modesty not always found in men who have performed brilliant actions :"  
Whereupon,

*Resolved*, That a brevet of lieutenant-colonel be granted to the chevalier de Maduit du Plessis, as a reward for his services and an encouragement to merit ; and that his commission bear date the 26th of November, 1777, in order that the recompence may more immediately follow the services which he has done.

Adjourned to ten o'clock to-morrow.

## TUESDAY, January 20, 1778.

Mr. Henry, a delegate from Maryland, and Mr. G. Morris, a delegate from New-York, attended, and took their seats.

*Ordered*, That the members attending the business of the board of war, enquire of gen. Gates, whether he can go to camp, agreeably to his appointment, for the purpose expressed in the resolution of the 10th inst. and when he can set out on that business.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 3022 61-90 dollars, be paid to Whitehead Humphreys, being the balance of his account for steel furnished col. B. Flower, commissary-general of military stores, as appears by the certificate of Cornelius Sweer, col. Flower's deputy, and agreeably to a contract made by direction of the board of war ; the said commissary-general to be accountable :

That 200 dollars be advanced to William Dodd, an express-rider ; he to be accountable.



That 200 dollars be advanced to Lewalia Barry, an express rider; he be accountable.

*Resolved*, That the resolution passed yesterday, respecting the pay of the officers of the navy not in actual service, be re-considered.

The board of war laid before Congress a letter of the 8th, from James Livingston, of New-Jersey :

*Ordered*, That it be referred to the board of treasury.

### THREE O'CLOCK, P. M.

A letter, of Dec. the 29th, from gen. Schuyler, was read, wherein, among other things, he presses for a speedy enquiry into his conduct ; Whereupon,

*Ordered*, That the committee appointed to enquire into the causes of the evacuation of Ticonderoga and Mount-Independence, and into the conduct of the general officers in the northern department, proceed immediately to that business, and report on Monday next.

*Resolved*, That Mr. Lovell be added to that committee, in the room of Mr. Dana, who is absent.

A letter, of the 12th, from general Washington, and one, of the 17th, from brigadier Smallwood, respecting some captures made in the river Delaware, were read :

*Ordered*, That they be referred to the marine committee.

A letter, of the 24th of December, from S. A. Otis, deputy clerk of the court at Boston, was read :

*Ordered*, That it be referred to the board of treasury.

A petition from sundry inhabitants of the western frontiers was read :

*Ordered*, That it be referred to the commissioners appointed to repair the western frontiers :

The members who conduct the business of the board of war reported to Congress sundry reasons assigned by general Gates, why the members of the board of war ought immediately to enter on the business of that department : Whereupon,

*Resolved*, That general Gates, general Mifflin, and colonel Pickering be excused from attending on the business mentioned in the resolution of the 10th, and that general Mifflin, colonel Pickering, and colonel Trumbull, be directed to repair immediately to this place.

*Resolved*, That two members be added to the committee appointed to repair to camp, to execute the business prescribed in the resolution of the 10th instant : the members chosen, Mr. Carroll and Mr. G. Morris.

A letter, of the 9th, from Thomas Webb, a prisoner at Bethlehem, directed to Mr. Roberdeau, was laid before Congress, and read :

*Ordered*, That it be referred to the board of war.

The board of war brought in a report :

*Ordered*, That the same be taken into consideration to-morrow.

*Ordered*, That Mr. Lewis have leave of absence for eight days.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY

A letter, of the 18th, from one, of the 20th, from W. B. read :

*Ordered*, That the latter be

Congress proceeded to read the pay of the officers of the

*Ordered*, That the resolution be referred to a committee of three : the members chosen, Mr. Clark.

**Ordered,** That the committee sit on this business, and report in the afternoon.

THREE O'CLOCK, P. M.

The committee appointed to devise effectual means to prevent persons disaffected to the interest of the United States from being employed in any of the important offices thereof, brought in a report :

**Ordered,** That the same be taken into consideration to-morrow.

The committee to whom was referred the resolution of the 19th, with the amendments moved, brought in a report :

**Ordered,** That the consideration thereof be postponed till to-morrow.

A letter, of the 12th, from the commissioners of Indian affairs in the northern department, enclosing a letter from the Rev. Mr. Wheelock, and intelligence from colonel Bedel ; and one, of the same date, from Mr. Duane, were read :

**Ordered,** That they be referred to the board of war.

A letter of the 12th, from major-general Schuyler, and one, of the 6th, from major-general Arnold, were read :

**Ordered,** That they be referred to the board of treasury.

The report from the board of war was read as follows :

That having conferred with Mr. Elias Boudinot, commissary of prisoners, on the 21st of December, and carefully examined the evidences produced by him, the board esteem it their duty to state to Congress the following facts, relating to the American prisoners in the power of the enemy :

That as far as can be collected from the testimony of prisoners and inhabitants, who have left the enemy, there are about 900 privates and 300 officers in the city of New-York, and about 500 privates and 50 officers in the city of Philadelphia :

That the privates in New-York have been crowded all summer in sugar-houses, and the officers boarded on Long-Island, except about 30, who have been confined in the provost-guard and in the most loathsome gaols :

That since the beginning of October all these prisoners, both officers and privates, have been confined in prison-ships or the provost :

That the privates in the city of Philadelphia have been kept in the two public gaols, and the officers in the state-house :

That from the best evidence which the nature of the subject will admit of, it appears that the general allowance of provisions at the most, does not exceed four ounces of meat and the same quantity of bread, (often so damaged as not to be eatable) per man per day, and oftentimes much less ; although the professed allowance is from eight to ten ounces ; and that the prisoners have been treated in general (officers not excepted,) with a cruelty scarce to be paralleled, and with the most studied and illiberal insult :

That it has been a common practice with the enemy, on a prisoner's being first captured, to keep him three, four, and even five days, without a morsel of provisions of any kind, and then to tempt him to enlist with the new levies, in order to save his life :

That there are numerous instances of prisoners of war perishing in all the agonies of hunger from their severe treatment.

That being generally stripped of what clothes they have when taken, they have suffered greatly for want thereof during their confinement :

That in the beginning of last summer, bills of exchange to the amount of £ 600 sterling, purchased of David Franks, British commissary of prisoners, residing within the jurisdiction of these states, were sent into New-York for the relief of the prisoners ; that every obstacle was thrown in the way to prevent the negotiation of these bills, and after a delay of two months, they were returned to Mr. Boudinot, the American commissary of prisoners :

That the American commissary of prisoners had permission to send provisions from Hudson's and Rariton rivers into New-York, and to purchase clothing there for about two months' past; but, on this condition, that the sloop, carrying the provisions, stop at the man of war stationed at the mouth of Hudson's river, where the hands are taken on board of the ship, and the agent for American prisoners in New-York is obliged to send back from thence to take the sloop over to the city and return her again to the man of war, which not only renders it very tedious and expensive, but prevents getting sloops for the purpose, as very few owners choose to trust their vessels in the enemy's hands, and to remain prisoners on board the same till the sloop returns:

That provisions, which have been sent into the city of New-York for the subsistence of the American prisoners, have been prevented by a public ordinance from being sold at a higher rate than 45s per hundred for flour, although the current price of that article was £ 6 per hundred, and it actually sold current at that price betwixt individuals, while the flour belonging to these states was sold at the ordinance price:

That the American prisoners in the power of the enemy have not the allowance made to them for their subsistence, although the British allow to the power of these states have been allowed, by a resolution of Congress two dollars a week for their subsistence:

That in consequence of repeated remonstrances from gen. Washington to gen. Howe concerning the injurious treatment of prisoners in his power, gen. Howe, in his letter to gen. Washington in Nov. last, promised that the commissary should be permitted to carry in a supply of clothing, and other necessaries for the prisoners in Philadelphia, and to the places where they were confined:"

That on a conference which passed betwixt Mr. Ferguson, the British commissary of prisoners, and Mr. Boudinot, the commissary of prisoners for these states, who was ordered by gen. Washington to visit the prisoners, according to gen. Howe's promise, Mr. Ferguson said, that he was desired by gen. Howe to let Mr. Boudinot know, "that there could be no necessity for his coming into the city, as he would see that the prisoners were properly taken care of;" and Mr. Boudinot was not suffered to go in:

That, on this conference, Mr. Ferguson, the British commissary of prisoners, complaining of the inattention paid to the supplying of prisoners with clothes, said, "that there was plenty of clothing in Philadelphia, which we were at liberty to purchase for provisions, and to appoint agents for that purpose; that on Mr. Boudinot's expressing his doubts on this point, Mr. Ferguson shewed great surprize at his unbelief, and told him repeatedly that full liberty to purchase clothing would be granted:"

That Mr. Ferguson, in his letter of the 2d of Dec. says, "that permission will be given to send in clothing to our prisoners, but that gen. Howe does not think fit to allow it to be purchased in Philadelphia."

Congress taking into consideration that during the whole time in which such unparalleled rigor and insult, in the way of their relief, the prisoners have been supplied with provisions, with commissaries in the service of the enemy without controul, within the jurisdiction have been admitted, on their parole, and made them; that few, even of those confined in gaol; but, on the contrary, work abroad, and to receive the full

*Resolved,* That the allowance of prisoners of war to these United States

who may be entitled thereto by any contract made on or before their captivity or surrender :

That neither David Franks, nor any other agent or person whatsoever, be permitted to negotiate bills within these United States for the supply of provisions taken from the enemy, or to purchase provisions, or other necessities for such purpose, within the jurisdiction of these states, except in the manner herein-after provided :

That every British commissary, or any other persons or agents, employed to supply prisoners taken from the enemy, with provisions, shall make return of the prisoners under his or their respective care to the purchasing commissary of the district, wherein such prisoners are confined, who shall deliver a sufficient number of rations for their weekly or monthly subsistence, as circumstances shall render necessary, taking duplicate promissory receipts for the same, payable in 30 days after date, one of which receipts shall be forthwith transmitted to the commissary-general of purchases, or to the deputy commissary-general of purchases of the department in which the provisions are supplied :

That the provisions so received shall be paid for in the manner prescribed by the resolution of Congress of the 19th of Dec. last ; and, in case the same shall be accounted for in gold and silver, the commissary-general or deputy commissary of purchases receiving the same, shall remit it, without delay, to the board of treasury, in order that the same may be applied as a fund for relieving the distresses of the prisoners in the power of the enemy :

That, in case failure shall be made by any person signing such receipt, in discharging the amount, when it shall become due, no farther provisions shall be issued for the maintenance of the prisoners under the care of the person or persons so failing :

That, in return for the permission hereby given to purchase provisions of the American commissaries, for the use of the enemy's prisoners, general Washington be directed to demand of general Howe, liberty to purchase clothing in such places as may be under his power, for the use of the American prisoners ; the clothing so furnished to be paid for either in gold or silver, or in provision, to be sent in and sold at the market price : and that in case general Howe should choose to order provisions and other necessities to be sent out for the supply of the prisoners in our power, instead of the mode proposed by the former resolutions, he be permitted to send what supplies may, from time to time, be necessary, to such post as the American commissary of prisoners shall direct, which provision when sent out, shall be issued to the prisoners by persons appointed by general Howe for that purpose, provided that permits be granted by general Howe for transporting provisions either by land or water, as shall be most convenient, from the states of New-York, New-Jersey, Pennsylvania, Maryland, and Virginia, for the use of the American prisoners in the cities of New-York, and Philadelphia, and in the town of Newport, in Rhode-Island ; and the provisions so sent in, be issued out by commissaries or other persons appointed for such purpose, by these states, who shall be permitted to reside at the places where the prisoners are confined :

That, in return for the permission given by the resolution of Congress of the 21st of May, 1776, for a commissioned officer from the British army to visit monthly the prisoners in the power of these states, "in order to count their numbers and certify their rolls," general Washington be directed to demand peremptorily of general Howe, a like permission, or to agree upon any other equal mode, for ascertaining the situation of the American prisoners, which shall be deemed most expedient ; and in case of general Howe's refusal to give satisfaction on this point, that general Washington regulate his future conduct by the conduct of general Howe :

That general Washington be directed to enquire of general Howe the

reasons why several officers in the service of these states, and other citizens now in his power, have been so long confined either in the most filthy and loathsome gaols, and treated with such unparalleled rigor; and if gen. Howe shall refuse to make any answer to this requisition, within the space of five days, or give such reasons for the treatment of these unfortunate persons as shall not be justifiable by the laws of nations, general Washington be directed immediately to order a number of the enemy's officers, nearly equal in rank and condition of life as possible, to the persons aforesaid without just cause, forthwith to be imprisoned, subsisted, and treated in the same manner as the persons above alluded to are imprisoned, subsisted, and treated; and that he be informed, that it is the expectation, and express order of Congress, that this mode of treatment, in general, be continued, unchanged, or suspended, as the conduct of the enemy, with respect to American prisoners, shall, from time to time, render just and necessary, without waiting for any special order from Congress for such purpose:

That the commissary-general of prisoners, and his respective deputies, be forthwith directed to call in all the officers and privates belonging to the enemy, and to confine them in such places, and order them to be subsisted and treated in such manner, as shall render their situation similar in all respects to that of the officers and privates who are prisoners with the army; and that they continue this mode of treatment, till such time as a change of conduct, on the part of the enemy, shall induce Congress, or the commander in chief of the armies of these states, to give directions for a different conduct on their part:

That it be recommended to the government of the respective states, the prisoners of war are confined, to give every assistance in their power to the commissary-general of prisoners or his deputies, by putting them in possession of gaols or other proper buildings, and by furnishing them with provisions in order to enable them to execute the foregoing resolution.

And whereas, gen. Howe, by his letter to gen. Washington in New York last, affects to make a distinction in the treatment of persons taken in war and of the faithful citizens of these states subjected to his power, in a manner not only contrary to reason and the principles of humanity, but inconsistent with the sentiments expressed by gen. Howe himself, in his letter to gen. Washington, dated Staten-Island, 1st of August, 1776:

*Resolved*, That gen. Washington be directed to require of gen. Howe an explanation of those parts of his letter of November, 1777, which imply the distinction, and the line of conduct with respect to such of the faithful citizens subjected to his power.

*Resolved*, That a committee of five be appointed to inquire into the injurious treatment our prisoners of the enemy: the members chosen, Lovell, and Mr. G. Morris.

Adjourned to ten o'clock to-morrow.

#### THURSDAY

A letter, of the 1st, from B. Harrison, and one, of the 21st, from Lancaster, were read:

*Ordered*, That they be referred to the committee on the treasury.

A letter of the 19th, from gov. J. Mifflin, was read.

*Ordered*, That it be referred to the committee on the treasury.

A letter, of the 6th, and one, of the 10th, with copies of letters that passed between them, were read.

The committee on the treasury reported.



**Ordered,** That 200,000 dollars be paid to the board of war, to be by them transmitted to Ebenezer Hancock, esq. deputy pay-master general of the eastern district, who is to be accountable.

**Resolved,** That two millions of dollars be emitted, under the direction of the board of treasury, and on the faith of the United States :

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed the 7th instant, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations, viz.

30,768 bills of the denomination			30,770 bills of the denomination of		
	of 3 dollars	92,304		2 dollars	61,540
30,768 do	4 do	153,840	30,770 do	8 do	246,160
30,768 do	5 do	153,840	30,770 do	30 do	923,100
30,768 do	6 do	184,608			
30,768 do	7 do	215,376			2,000,000

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the emission directed on the 20th of May last, shall extend to the said two millions now to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

**Ordered,** That 50,000 dollars be advanced to William Buchanan, commissary-general of purchases, to be by him transmitted to the western district, for the use of his department; he to be accountable :

That a warrant issue on the loan-officer of Pennsylvania, for 100,000 dollars, and one other on the treasurer for 50,000 dollars, in favor of James Mease, clothier-general, to answer the draughts of his deputies in the several states, for clothing purchased by them, and that he be directed to transmit to the board of treasury a list of the draughts which he shall have paid, with the money aforesaid, before he applies for further sums for this purpose; the said James Mease to be accountable.

**Resolved,** That the clothier-general be directed to pay to Mr. Paul Zantzinger the balance which shall appear to be due to him for 650 suits of clothes, or for any part thereof, which he has purchased by order of brigadier Wayne, upon Mr. Zantzinger producing sufficient vouchers of the cost of the clothing, and proper receipts of the delivery thereof.

THREE O'CLOCK, P. M.

**Resolved,** That the pay-master general, or his deputies, be directed to pay the aids-de-camp of the marquis de la Fayette, according to their rank, as the aids of other major-generals are paid.

The committee of commerce, to whom were referred the letters from gov. Johnson, of Maryland, and W. Buchanan, commissary-general of purchases, brought in a report; Whereupon,

**Resolved,** That the commissary-general of purchases be directed to purchase, in the states of Maryland and Virginia, upon the most reasonable terms, such a quantity of salt as he may think necessary for the immediate use of the army; and that the president write to the governor of Maryland, thanking him for the pains he has taken on this matter, and requesting him to assist the commissary-general in the business aforesaid.

The board of war, to whom the several despatches from the northern department were committed, brought in a report; Whereupon,

**Resolved,** That an irruption be made into Canada, and that the board of war be authorized to take every necessary measure for the execution of the business, under such general officers as Congress shall appoint, and apply for such sums of money as may be thought by them proper and requisite for the expedition.

*Ordered*, That the appointment of the general officers to conduct the irruption, be postponed till to-morrow.

A letter, of this day, from W. Palfrey, pay-master general, and one from W. Buchanan, commissary-general of purchases, and a petition from Isaac Zane, Joseph Janney, Benjamin Wright, William Jackson, John Parrish, and Joseph Wright, were read :

*Ordered*, That the petition be referred to a committee of three : the members chosen, Mr. Ellery, Mr. Henry, and Mr. Clark.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, January 23, 1778.

A letter, of the 8th, from E. Hancock, deputy pay-master general, with a monthly account enclosed ; one, of the 5th, from William Whipple, "wishing to be excused from attending the enquiry into the cause of the failure of the late expedition against Newport," and a petition from colonels Shepard, Bailey, Tupper, &c. were read.

*Resolved*, That the resolution passed yesterday, directing the commissary-general to purchase salt in Maryland and Virginia, be re-considered, and that the same, together with the letter from governor Johnson, be referred to a committee of three : the members chosen, Mr. Forbes, Mr. Wither- spoon, and Mr. J. B. Smith.

The auditor-general, in consequence of an adjustment by the commissioners of claims, reports,

That there is due to a detachment of North-Carolina continental troops, under the command of col. John Williams, and belonging to the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, and 9th regiments of that state, up to the 1st of January, as by particular muster and pay rolls, 3959 dollars, which is to be advanced to capt. Benjamin Williams, who is to be accountable for that sum :

*Ordered*, That the same be paid.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the continental loan-office in the state of New-Hampshire, for 50,000 dollars, in favor of the president and council of the said state, which is to be accountable :

That 400 dollars be advanced to Robert Hide Saunders, lieutenant in the Virginia state regiment, commanded by col. George Gibson, for the use of a party of the said regiment on their march to camp ; the said col. Gibson to be accountable :

That 1000 dollars be advanced to the board of war, for public service ; the said board to be accountable.

Congress proceeded to the election of general officers to conduct the irruption into Canada, and, the ballots being taken, major-general the marquis de la Fayette, major-gen. Conway, and brigadier Stark, were elected.

A petition from Lot Hall was read :

*Ordered*, That it be referred to the marine committee.

The committee appointed to take into consideration the wants of the army, and the letter from the committee at camp, December 10, 1777, to general Washington, brought in a farther report, which was read ; after debate,

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. James Smith, Mr. Ellery, and Mr. Dyer.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, January 24, 1778.

The committee to whom were referred the resolution of the 22d, respecting the purchase of salt in Maryland and Virginia, and the letter of the 19th from gov. Johnson, brought in a report : Whereupon,

*Resolved*, That a letter be written to gov. Johnson, thanking him for the pains he has taken as to the purchase of salt, and excepting the 1350 bushel

mentioned in his letter, to be delivered to the order of the commissary-gen. who has undertaken to proceed in the purchase of what more is immediately necessary, agreeably to the information given by the governor on that subject.

The board of war brought in a report: Whereupon,

*Resolved*, That it be earnestly recommended to the government of the state of New-York, forthwith to call out 400 militia of that state, under the command of an active and vigilant officer, to serve for the space of four months, under the command of the officer commanding in the northern department; the said militia, when raised, to repair to Albany.

The committee to whom was referred the report under debate yesterday, brought in their report, which was read: after debate,

*Ordered*, That it be re-committed.

The marine committee, to whom were referred the letters of gen. Washington and brigadier Smallwood, respecting the capture of several vessels and goods by detachments of the main army, brought in a report: Whereupon,

*Resolved*, That the vessels and goods lately captured as aforesaid, ought to be libelled in the court of admiralty in that state where the capture was made; but if no such court be erected in that state, then the prosecution should be in the court of such state as the captors may find convenient, the judge whereof, on condemnation, will order distribution to be made agreeably to the resolution of Congress; and that six printed copies of the extracts of the journals of Congress relative to the capture and condemnation of prizes, &c. be transmitted to gen. Washington and brigadier Smallwood.

A letter, of the 22d, from Samuel and R. Purviance, was read:

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 300,000 dollars be advanced to W. Buchanan, commissary-general of purchases, for the use of his department; he to be accountable:

That 27 84-90 dollars be paid to major John Clark, for his expenses attending the board of treasury, by their order, and for two pair of shears purchased by him for the use of the auditors at head-quarters:

That a warrant issue on Thomas Harwood, esq. commissioner of the continental loan-office for the state of Maryland, for 20,000 dollars, in favor of his excellency gov. Johnson, for the purpose of recruiting the continental army in that state; the said state to be accountable:

That a warrant issue on Joseph Borden, esq. commissioner of the continental loan-office for the state of New-Jersey, for 10,000 dollars, in favor of his excellency the governor of the said state, to be paid out of the first money brought into the office, for the purpose of recruiting the continental battalions of the said state; for which the said state is to be accountable:

That 50,000 dollars be advanced to Benjamin Flower, commissary-general of military stores, and paid to his deputy Cornelius Sweers, for the use of his department; the said commissary-general to be accountable.

A motion was made, that Congress sit but once a day:

The previous question was moved, and after debate,

The determination thereof, at the request of a state, was postponed.

Adjourned to ten o'clock on Monday.

#### MONDAY, January 26, 1778.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 13,000 dollars be advanced to col. John Williams, to purchase 12 wagons, with horses, for the purpose of transporting a quantity of goods, purchased by the clothier-general in the state of North-Carolina; the said col. Williams to be accountable:

That the following warrants issue in favor of Alexander Rose, for the payment of five bills, drawn by Samuel A. Otis, on James Mease, esq. clo-

thier-general; one, dated Dec. 19th, for 24,000 dollars, in favor of John Tracey; one, dated Dec. 22d, in favor of Alexander Rose, for 40,000 dollars; one, dated Dec. 22d, in favor of Alexander Rose, for 10,000 dollars; one, dated Dec. 25th, in favor of Jonathan Jackson, for 23,333 30-90 dollars; and one, in favor of Isaac Sears, for 13,333 30-90 dollars, amounting in the whole to 110,666 2-3 dollars, being for the payment of clothing, purchased in the state of Massachusetts-Bay, by the said Otis, for the use of the army; the clothier-general to be accountable, viz.

One on the treasurer for 50,666 60-90 dollars; one on the commander of the continental loan-office in the state of South-Carolina, for 25,000 dollars; and one on the commissioner of the continental loan-office in the state of Virginia, for 35,000 dollars.

*Ordered*, That 180 dollars be advanced to col. Kermovan, engineer, on his pay; for which he is to be accountable.

A letter, of the 24th, from major-general Gates, president of the board of war; one, of Dec. 20th, from John Langdon, esq. at Portsmouth, directed to the marine committee, with a bill of exchange enclosed; one, of the 15th of Dec. and one of the 10th inst. from Jonathan Trumbull, jun. paymaster in the northern department, were read:

*Ordered*, That the two last be referred to the board of treasury.

A letter, of this day, from W. Buchanan, commissary-general of purchases; one, of the 16th, from gov. Trumbull, by chevalier de Gracey; one of the 5th, from gov. Cook; and one, of the 13th, from gov. Trumbull, were read:

*Ordered*, That they be referred to the board of treasury.

*Resolved*, That Congress highly approve the conduct of the government council of safety of Connecticut, in the appointment of Mr. Champion, and their other measures for providing public stores and provisions; and depend upon their constant attention to this important object.

A letter, of the 16th, from governor Trumbull, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 24th, from major Clark, was read:

*Ordered*, To lie on the table.

### THREE O'CLOCK, P. M.

A letter, of the 22d, from col. de la Balme, was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 25th, from Dr. Rush, was read.

*Resolved*, That Mr. Witherspoon and Mr. Roberdeau be added to the committee on the commissary's department.

Congress took into consideration the letter from major-gen. Gates, president of the board of war; Whereupon,

*Ordered*, That 10,000 dollars be advanced to the board of war, for contingent expenses; the said board to be accountable.

The committee appointed to enquire into the causes of the evacuation of Ticonderoga, &c. report, that they are not yet ready.

Adjourned to ten o'clock to-morrow.

### TUESDAY, Jan

On a representation from the committee on the causes of the evacuation of Ticonderoga,

*Resolved*, That Mr. James Smith be

A letter, of the 13th, from col. la B

*Ordered*, That it be referred to the

A letter, of the 31st of Dec. from the committee, presenting, that, for sundry reasons, he is unable to report the causes of the failure of the late inten

A letter from Mon. la Neuville; or

and one, of the 26th, from major-general Conway, in recommendation of Mons. la Neuville, were read :

*Ordered*, That they lie until the committee, sent to camp, shall return, and make report.

A letter, of the 26th, from gen. Gates, president of the board of war, was read :

*Ordered*, That it be referred to the board of treasury.

A letter from Dr. Shippen, director gen. and one from Dr. Brown, both directed to the medical committee, were laid before Congress, and read :

*Ordered*, That the same, together with the letters some time since received from Dr. Shippen and Dr. Rush, and from gov. Livingston, relative to the hospital department, be referred to a committee of five, and that the committee be instructed to send for Dr. Shippen and Dr. Rush, and to hear them, and to report specially : the members chosen, Mr. Witherspoon, Mr. Penn, Mr. Lovell, Mr. Gerry and Mr. Roberdeau.

THREE O'CLOCK, P. M.

*Resolved*, That to-morrow be assigned for the appointment of a general officer to relieve major-general Spencer, in his command, at Rhode-Island and Providence Plantations.

The committee on the treasury, brought in a report ; Whereupon,

*Ordered*, That a warrant issue on John Lawrence, esq. commissioner of the continental loan-office in the state of Connecticut, in favor of his excellency the governor and council of safety of the said state, for 200,000 dollars to be by them appropriated for the purchase of provisions for the use of the continental army ; the said governor and council to be accountable :

That 12,000 dollars be advanced to the marine-committee, to discharge a bill, dated the 20th of Dec. last, drawn by John Langdon, continental agent at Portsmouth, in New-Hampshire, on the said committee, in favor of Stephen Hooper, esq. for that sum ; the said committee to be accountable :

That 100,000 dollars be advanced to William Buchanan, commissary-gen. of purchases, to be by him transmitted to Mr. Colt, for the purpose of purchasing provisions in the eastern district, for the use of the army ; the said commissary-general to be accountable :

That 2000 dollars be advanced to the delegates of Massachusetts-Bay, on their application, for which the said state is to be accountable :

That 500 dollars be paid to Mr. E. Dyer, delegate from the state of Connecticut, on his application ; the said state to be accountable.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *January 28*, 1778.

A letter, from Jacob Rush, was read, requesting leave to resign his office of deputy-secretary.

A letter, of the 26th, from the council of Pennsylvania, and one of the 26th, from Mr. G. Morris, at camp, were read :

*Ordered*, That the two last be referred to the board of war.

A letter, of the 23d of Dec. from S. A. Otis, directed to James Mease, clothier-general, enclosing one of the 10th of Dec. from J. Trumbull, was read :

*Ordered*, That the same be referred to the board of treasury.

A letter, of the 12th, from Henry Hay, with a return of the cannon found at Ticonderoga, &c. and one from E. Allen, were read :

*Ordered*, That they be referred to the board of war.

The committee on the treasury brought in a report, which being read, on motion,

*Ordered*, That it be referred to the committee appointed to take into consideration the state of Georgia.



In pursuance of an adjustment by the commissioners of claims, the entire general reports,

That there is due to captain Benjamin Williams, acting as pay-master to the Virginia and North-Carolina troops in this town, by the appointment of the board of treasury, for the balance of pay due to a detachment of the 1st, 2d, 4th, 5th, 6th, 9th, 10th, 12th, 14th, 15th, and 16th regiments of Virginia troops; for an advance to a drill-serjeant, and for his services as pay-master from the 1st to the 27th inst. 80 dollars :

*Ordered*, That the said account be paid.

*Resolved*, That the resignation of J. Rush be accepted.

The committee to whom the petition from J. Zane, and others, was referred, reported verbally :

*Ordered*, That the consideration of this matter be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, January 29, 1778.

A letter, of the 28th, from brigadier de Roche Fermoy, was read:

*Ordered*, That it be referred to the board of war.

In pursuance of an adjustment by the commissioners of claims, and the general reports,

That there is due to brigadier Thompson, for sundry advances on his credit by Mr. Freeman and Mr. Cord, merchants in Quebec, to sundry officers and wounded soldiers, who were there prisoners, the sum of \$33-90 dollars, which sum is to be accounted for as follows, viz.

By col. Christopher Green, for himself and officers, 1340 \$1-90 dollars; by capt. now col. Daniel Morgan, 421 \$1-90 dollars; by capt. now col. John Lamb, 229 12-90 dollars; by lieut. now major Francis Nichols, 64 \$5-00 dollars; by captain Moses M'Clane, 94 \$9-90 dollars; by army, for advances to wounded soldiers, 252 46-90 dollars; add for fractions, 11-00 of a dollar; making in the whole, 2343 \$3-90 dollars :

To brigadier Thompson, for his pay from the 1st of May to the 31st of Dec. 1777, and for his rations from the 1st of March to the 31st of July, 1164 dollars :

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 1300 dollars be advanced to the delegates of New-York, on the application of Mr. Duer, one of the said delegates, for which said state is to be accountable.

A memorial from lieut. col. Thomas Dyer, was read, representing his early and continued services in the army, and his loss of health, for recovery of which he had obtained from the general, a furlough for six weeks, and praying, as his furlough is near expiring, and state of health renders him utterly unable to bear the fatigues of the service, that he may for that reason, have leave to resign his commission :

*Ordered*, That it be referred to the committee on the army.

Congress resumed the consideration of the report of the committee on the treasury. Whereupon,

*Resolved*, That the prisoners now in the hands of the British, who have been apprehended by the execution of the resolutions of Congress, charged from their confinement on oath or affirmation of allegiance as follows, or the following oath or affirmation, "I, A. B. do swear, or affirm, that I am a free and true-born citizen of the state of Pennsylvania, as a free and independent man, and will demean myself as a good and true citizen of the same."

**Ordered,** That the president write to the governor of Virginia, and inform him of this resolution.

Congress took into consideration the report of the committee appointed to devise effectual means to prevent persons disaffected to the interest of the United States, from being employed in any of the important offices thereof, and after debate,

**Ordered,** That it be re-committed.

A motion being made for preventing abuses by officers in the civil departments of the army,

**Ordered,** That it be referred to the foregoing committee,

THREE O'CLOCK, P. M.

A letter, of the 16th, from Messrs. Hewes & Smith, from Edenton, was read:

**Ordered,** That it be referred to the board of treasury.

A letter, of the 19th, from F. Hopkinson, one of the commissioners of the navy board, concerning the conduct of capt. Barry, was read: Whereupon,

It was moved, that captain Barry be not employed on the expedition assigned to his conduct by the marine committee, with the approbation of Congress, until further orders of Congress: question put, the states were equally divided.

Adjourned to ten o'clock to-morrow.

FRIDAY, *January 30, 1778.*

Mr. Thomas M'Kean, a delegate from the state of Delaware, attended, and produced the credentials of his appointment, which were read as follows:

"IN COUNCIL, WEDNESDAY, P. M. *December, 17, 1777.*

"Whereas, Cæsar Rodney, Nicholas Vandyke, and Thomas M'Kean, esqrs. have been chosen by joint ballot of the two houses of assembly to represent Delaware state in the Continental Congress: *Resolved,* That they, or any one or more of them, are hereby fully authorized and empowered, for and in behalf of this state, to concert, agree to and execute any measure which they or he, together with a majority of the Continental Congress, shall judge necessary for the defence, security, interest, and welfare of this state in particular, and America in general; with power to adjourn to such times and places as shall appear most conducive to the public safety and advantage.

"Extract from the minutes,

"BENJAMIN VINING, *Clerk of the Council.*

"Sent up for concurrence.

"IN THE HOUSE OF ASSEMBLY, EODEM DIE.

"Read and concurred in,

SAMUEL WEST, *Speaker.*

"I do certify, that the foregoing is a true extract from the minutes of the council.

BENJAMIN VINING, *Clerk of the Council.*"

The committee of the treasury brought in a report: Whereupon,

**Ordered,** That 20,000 dollars be advanced to Dr. Jonathan Potts, deputy director-general of the hospital in the northern department, for the use of his district; he to be accountable.

A letter, of the 30th, from Edward Stevens, was read, desiring leave to resign his commission:

**Ordered,** That it be referred to the board of war.

The board of war sent to Congress a letter of the 26th, from gen. Washington to gen. Gates, president of the board, which was read:

**Ordered,** That it be returned to the board of war, and that the board be directed to enquire immediately into the number and rank of the commissioned and non-commissioned officers who have come out of Philadelphia with clothing for the prisoners taken from the enemy, and into the conduct

of all the persons who compose the escort, whilst they have been on the route, and that they report specially to Congress the result of their enquiry.

THREE O'CLOCK, P. M.

A letter, of the 17th, from brigadier Hand, was read :

*Ordered*, That the consideration thereof be postponed.

A letter from Dr. Rush was read, requesting leave to resign :

*Resolved*, That his resignation be accepted.

A letter, of this day, from brigadier de Roche Fermoy, and one from Mr. Kermovan, were read :

*Ordered*, That they be referred to the board of war.

An account of Archibald Steel was presented to Congress :

*Ordered*, That it be referred to the board of treasury.

The board of treasury brought in a report :

*Ordered*, That it be re-committed.

The board of war brought in a report :

*Ordered*, That the consideration thereof be postponed.

On motion, *Ordered*, That the quarter-master general immediately prepare and render an account to Congress of all his public expenditures.

The committee to whom was referred the report of the committee appointed to consider the proposals contained in a letter to gen. Washington, from the committee lately sent to camp, brought in a report, which was read; after debate,

*Ordered*, That it be re-committed, and that Mr. M'Kean be added to the committee.

Adjourned to ten o'clock to-morrow.

SATURDAY, January 31, 1778.

A letter of the 29th from James Mease, with one enclosed from Joel Caldwell, was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Lee, Mr. Lovell, and Mr. Duer.

A letter, of the 28th, from the committee at camp, was read, representing the necessity of appointing, without delay, a quarter-master general.

Congress resumed the consideration of the report from the board of war respecting the quarter-master's department ; Whereupon, it was moved.

"That an officer of rank, activity, and well acquainted by experience with the business of quarter-master general, be immediately appointed to that office, and that he be empowered to arrange the department with the approbation and concurrence of the board of war :"

An amendment was moved "immediately to enter upon the execution thereof, under the present regulations, and that the quarter-master be directed, in concurrence with the board of war, to prepare a new arrangement for that department, to be laid before Congress for consideration :"

A motion was made, that the consideration of the subject be postponed till Monday :

<i>N.-Hampshire</i> , Mr. Frost,	ay	ay	<i>Delaware</i> ,	Mr. M'Kean,	
<i>Massachusetts-Bay</i> , Mr. Gerry,		*	<i>Maryland</i> ,	Mr. Henry,	
Lovell,	no		<i>Virginia</i> ,	Mr. Lee,	
<i>Rhode-Island</i> , Mr. Ellery,	ay	ay	<i>N.-Carolina</i> ,	Mr. Penn,	
<i>Connecticut</i> , Mr. Dyer,	ay	ay	<i>S.-Carolina</i> ,	Mr. Laurens,	
<i>New-York</i> , Mr. Duer,	no	*	<i>Georgia</i> ,	Mr. Wood,	
<i>New-Jersey</i> , Mr. Witherspoon,	no				
Clark,	ay	div.			
<i>Pennsylvania</i> , Mr. Roberdeau,	no				
J. B. Smith,	ay	div.			
Clingan,	ay				
James Smith,	no				

So it passed in the affirmative.

**Resolved**, That the committee of commerce shall, from time to time, as occasion may require, recommend to Congress proper persons in the respective states to act as attornies in each state for recovering all commercial debts due to the United States of America, and for claiming the continental share of all prizes libelled in the court of admiralty of the state where they may respectively reside ; and upon such persons being approved, that the president execute letters of attorney to such persons respectively, to be transmitted to them by the committee of commerce.

The committee on the treasury brought in a report ; Whereupon,

**Ordered**, That 400 dollars be advanced to lieut. col. du Plessis, on the application of the marquis de la Fayette, who is to be accountable.

That 700 dollars be paid to lieutenant-colonel du Plessis, for pay due to lieutenant-colonel Gimat, as a major from the first of December, 1776, to January, 1778, inclusive, being 14 months ; the said lieutenant-colonel Gimat to be accountable :

That 260 dollars be paid to Robert Patton, for his wages as messenger to Congress, and for his extraordinary services and expenses from the 12th of September, 1777, to the 21st of January last :

That 200,000 dollars be advanced to the board of war, for the purpose of forming a magazine of 30,000 barrels of flour for the use of the army, agreeably to the orders of Congress ; the said board to be accountable.

**Resolved**, That two commissioners of accounts be forthwith appointed for the northern district, in the room of Mr. Carter and Mr. Millegan, the first of whom has resigned, and the latter is appointed a commissioner of claims :

That one other be appointed to act with the commissioners of accounts at Hartford, in the room of William Denning, esq. who has declined that business.

### THREE O'CLOCK, P. M.

The committee of commerce having recommended Abraham Livingston, Nathaniel Russel and Josiah Smith, jun. as suitable persons to be appointed attornies for recovering all commercial debts due to the United States of America, and for claiming the continental share of all prizes libelled in the admiralty court in the state of South-Carolina, the said Nathaniel Russel and Josiah Smith, or either of them, to act in case of the absence or death of the said Abraham Livingston :

**Resolved**, That the persons above mentioned be approved, and that the president be directed to execute a letter of attorney to them accordingly.

Congress proceeded to the election of commissioners of accounts, and, the ballots being taken, Joseph Henderson and Eleazer Wales, esqrs. were elected commissioners for the northern district, in the room of Mr. Carter and Mr. Millegan ; and Moses Emmerson, esq. was elected commissioner of accounts at Hartford, in the room of Mr. William Denning.

Congress took into consideration the report of the committee appointed to devise effectual means to prevent persons disaffected to the interest of the United States from being employed in any of the important offices thereof ; Whereupon,

**Resolved**, That every officer who holds or shall hereafter hold a commission or office from Congress, shall take and subscribe the following oath or affirmation :

" I, do acknowledge the United States of America to be free, independent and sovereign states, and declare that the people thereof owe no allegiance or obedience, to George the third, king of Great-Britain ; and I renounce, refuse and abjure any allegiance or obedience to him : and I do swear (or affirm) that I will, to the utmost of my power, support, maintain and defend the said United States, against the said king George the third

for 200,000 dollars, in pursuance of the order of the 22d of Jan. be returned and cancelled, and, in lieu thereof, that a warrant issue on Joseph Clark, esq. commissioner of the loan-office in the state of Rhode-Island, for 100,000 dollars, in favor of Ebenezer Hancock, deputy pay-master general in the eastern department; and that 100,000 dollars be paid to the board of war, to be by them transmitted to the said deputy pay-master general, who is to be accountable.

That 200,000 dollars be paid to the board of war, to be by them transmitted to Jonathan Trumbull, jun. pay-master in the northern department, which sum the treasurer is directed to have in readiness on Monday; the said pay-master to be accountable.

A letter from the president of the board of war, was read:

*Ordered*, That it be referred to the board of treasury.

A letter from Mr. la Neuville, and one from Charles Frederick Smith were read:

*Ordered*, That the same, together with the letters from Mr. la Neuville read on Thursday last, be referred to the board of war.

A letter, of January 20th, from gov. Henry, of Virginia, was read.

The committee to whom was referred the letter from the commissioner for Indian affairs in the northern department, together with the papers enclosed, and the opinion of the board of war thereon, brought in a report. *Whereupon*,

*Resolved*, That the commissioners be instructed to speak to the Indians at the intended treaty at Johnston, in language becoming the representatives of free, sovereign, and independent states, and in such a tone as to convince them that we feel ourselves to be so; but whether it will be prudent to insist upon the Indians taking an active part in behalf of themselves, must depend upon the temper they shall appear to be in; that this point, therefore, be submitted to the discretion of the commissioners.

*Resolved*, That an addition of one commissioner be made, and it is expected by Congress that general Schuyler will attend the treaty.

*Resolved*, That gov. Clinton, of New-York, be empowered and requested to appoint a suitable person to be the commissioner of Indian affairs in the northern department, and to direct him to attend the treaty above mentioned.

*Resolved*, That the commissioners speak and act in such manner as they shall think most likely to obtain the friendship or at least the neutrality of the Indians, and that Congress will support the commissioners in any measures they shall conceive best calculated to answer these ends:

That the commissioners be authorized to purchase 5 or 600 blankets, in order that number to be sent to Johnston, from any of the public stores eastward, if to be had there, to be given as presents to the Indians.

That the commissioners be informed, that the hard money in the chest at Albany, is already appropriated.

A letter, of the 31st of January, from general Washington, was read; also a memorial from colonel Forman requesting a company to work on the salt works, on condition of furnishing price, the salt made at the said works.

*Ordered*, That the consideration

Adjourned to ten o'clock to-mor

## TUESDAY,

A letter of Joseph Simons, at La laid before Congress, and read;

*Ordered*, That it be referred to the

A letter, of the 24th of January,

*Ordered*, That it be referred to the

The committee of commerce bro



**Resolved**, That the committee of commerce shall, from time to time, as occasion may require, recommend to Congress proper persons in the respective states to act as attornies in each state for recovering all commercial debts due to the United States of America, and for claiming the continental share of all prizes libelled in the court of admiralty of the state where they may respectively reside; and upon such persons being approved, that the president execute letters of attorney to such persons respectively, to be transmitted to them by the committee of commerce.

The committee on the treasury brought in a report; Whereupon,

**Ordered**, That 400 dollars be advanced to lieut. col. du Plessis, on the application of the marquis de la Fayette, who is to be accountable.

That 700 dollars be paid to lieutenant-colonel du Plessis, for pay due to lieutenant-colonel Gimat, as a major from the first of December, 1776, to January, 1778, inclusive, being 14 months; the said lieutenant-colonel Gimat to be accountable:

That 260 dollars be paid to Robert Patton, for his wages as messenger to Congress, and for his extraordinary services and expenses from the 12th of September, 1777, to the 21st of January last:

That 200,000 dollars be advanced to the board of war, for the purpose of forming a magazine of 30,000 barrels of flour for the use of the army, agreeably to the orders of Congress; the said board to be accountable.

**Resolved**, That two commissioners of accounts be forthwith appointed for the northern district, in the room of Mr. Carter and Mr. Millegan, the first of whom has resigned, and the latter is appointed a commissioner of claims:

That one other be appointed to act with the commissioners of accounts at Hartford, in the room of William Denning, esq. who has declined that business.

### THREE O'CLOCK, P. M.

The committee of commerce having recommended Abraham Livingston, Nathaniel Russel and Josiah Smith, jun. as suitable persons to be appointed attornies for recovering all commercial debts due to the United States of America, and for claiming the continental share of all prizes libelled in the admiralty court in the state of South-Carolina, the said Nathaniel Russel and Josiah Smith, or either of them, to act in case of the absence or death of the said Abraham Livingston:

**Resolved**, That the persons above mentioned be approved, and that the president be directed to execute a letter of attorney to them accordingly.

Congress proceeded to the election of commissioners of accounts, and, the ballots being taken, Joseph Henderson and Eleazer Wales, esqrs. were elected commissioners for the northern district, in the room of Mr. Carter and Mr. Millegan; and Moses Emmerson, esq. was elected commissioner of accounts at Hartford, in the room of Mr. William Denning.

Congress took into consideration the report of the committee appointed to devise effectual means to prevent persons disaffected to the interest of the United States from being employed in any of the important offices thereof; Whereupon,

**Resolved**, That every officer who holds or shall hereafter hold a commission or office from Congress, shall take and subscribe the following oath or affirmation:

"I, do acknowledge the United States of America to be free, independent and sovereign states, and declare that the people thereof owe no allegiance or obedience, to George the third, king of Great-Britain; and I renounce, refuse and abjure any allegiance or obedience to him: and I do swear (or affirm) that I will, to the utmost of my power, support, maintain and defend the said United States, against the said king George the third

and his heirs and successors, and his and their abettors, assistants and adherents, and will serve the said United States in the office of which I now hold, with fidelity, according to the best of my skill and understanding. So help me God."

On the question, the yeas and nays being required,

<i>N.-Hampshire</i> , Mr. Frost,	ay } ay	<i>Delaware</i> , Mr. M'Kean,	ay } ay
<i>Massa'che-Bay</i> , Mr. Gerry,	ay } *	<i>Maryland</i> , Mr. Forbes,	ay } ay
Lovell,	ay }	Henry,	ay }
<i>Rhode-Island</i> , Mr. Ellery,	ay } ay	<i>Virginia</i> , Mr. F. L. Lee,	ay } ay
<i>Connecticut</i> , Mr. Dyer,	ay } ay	<i>N.-Carolina</i> , Mr. Penn,	ay } ay
<i>New-Jersey</i> , Mr. Witherspoon,	ay } ay	<i>S.-Carolina</i> , Mr. Laurens,	ay } ay
Clark,	ay }	<i>Georgia</i> , Mr. Langworthy,	ay } ay
<i>Pennsylvania</i> , Mr. Roberdeau,	ay }	Wood,	ay }
Clingan,	ay } ay		
J. B. Smith,	ay }		

So it was resolved in the affirmative.

Congress proceeded in the report; Whereupon,

*Resolved*, That all officers in the army shall take and subscribe the foregoing oath or affirmation before the commander in chief, or any major-general or brigadier-general:

That all officers of the navy shall take and subscribe the same before one of the commissioners of the navy boards, or before a judge or justice of the peace of the state wherein they respectively reside, or shall receive their commissions or warrants:

That all persons, holding any civil office of trust, or profit, under the Congress of these United States, shall take and subscribe the said oath or affirmation, before a judge, or justice of the peace of the state wherein they respectively reside:

That every officer, having the disposal of public money, or who is or shall be entrusted with the charge or distribution of public stores, shall, at the time of taking and subscribing the foregoing oath, or affirmation, also take an oath, or affirmation of office, in the following words, viz.

"I, do swear (or affirm) that I will faithfully, truly and impartially execute the office of to which I am appointed, and render a true account, when thereunto required, of all public monies by me received or expended, and of all stores or other effects to me entrusted, which belong to the United States; and will, in all respects, discharge the trust reposed in me with justice and integrity, to the best of my skill and understanding."

That every officer taking the foregoing oaths, or affirmations, or either of them, shall obtain from the person administering the same duplicate certificates specifying the time of his taking it, or them, and also his name and rank, or employment:

That every military officer shall deliver or transmit one of the certificates so obtained to the commander in chief, or the commander of a department, or to such person as by general orders shall be appointed to receive the same, and the said commanding officers shall cause the certificates, so received, to be sent to the secretary of Congress, and shall keep an exact list of the names of all officers whose certificates shall be received and forwarded, together with their several ranks and the times of their being qualified:

That every officer in the navy shall deliver or send one of the certificates by him obtained to the navy board most convenient, who are required to transmit the same, and also a certificate of their own qualifications, to the marine committee, as soon as conveniently may be:

That every other person employed in any civil department or office above mentioned, shall send or deliver one of the certificates by him obtained to the secretary of the state to which he belongs, or to such other persons as the governor or president of such state shall direct; and the governors or presidents of the several states are hereby requested to attend

this matter, and to cause the certificates, when received, to be transmitted to the secretary of Congress :

That each deponent or affirmant shall retain and keep the other certificate by him obtained, as a voucher of his having complied with what is hereby enjoined him.

*Resolved*, That every officer, civil or military, now in office, shall take and subscribe the qualification above directed, within twenty days after notice hereof; and every person hereafter appointed to any office by or under the authority of the Congress of the United States of America, shall take and subscribe the same previous to his acting in such office; and every officer who shall continue or presume to exercise any commission, civil or military, under the authority of the Congress of the United States of America, without taking the qualification in time and manner above directed, shall be cashiered, and forfeit two months' pay to the use of the United States of America, and be rendered incapable of serving in the army of the said states, and of executing thereafter any office under Congress.

And whereas many persons employed as deputy or assistant commissaries or quarter-masters, or in other civil departments, are dispersed in various parts of the continent, over whom neither Congress nor the head of their respective departments can have the immediate inspection :

*Resolved*, That it be recommended to the legislative and executive authority of every state, to take effectual measures for preventing any person within their states from exercising any office in the civil department of the army, or in any other civil department, under Congress, who shall not, when thereunto required by any magistrate, produce a legal appointment to such office, and a certificate of his having taken the foregoing oaths or affirmations, or who shall neglect or refuse to take and subscribe the said oaths or affirmations within the time above limited.

*Resolved*, That the resolutions passed the 21st day of October, 1776, prescribing the form of an oath or affirmation, and directing the same to be subscribed by officers holding commissions or offices from Congress, be, and they are hereby repealed.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, February 4, 1778.

A report from the board of war being laid before Congress, the same was taken into consideration; Whereupon,

*Resolved*, That the first paragraph relative to empowering the board of war and ordnance to contract for the casting of brass cannon, &c. be referred to a committee of four: the members chosen, Mr. Gerry, Mr. Dyer, Mr. Lovell, and Mr. Ellery.

It was then moved, "that Messrs. Goy, Pierre, Boichard, Parrison, and Niverd, together with ten artillery serjeants, and ten serjeants of artificers, being of the corps that came over with Mons. du Coudray, be retained in the service of the United States:" Question put,

<i>New-Hampshire</i> , Mr. Frost,	no	} no	<i>Delaware</i> ,	Mr. M'Kean,	ay	} ay
<i>Massachusetts-Bay</i> , Mr. Gerry,	ay	{	<i>Maryland</i> ,	Mr. Forbes,	ay	{ div.
	Lovell,	ay		Henry,	no	{
<i>Rhode-Island</i> , Mr. Ellery,	no	} no	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	{ *
<i>Connecticut</i> , Mr. Dyer,	ay	} ay	<i>N.-Carolina</i> ,	Mr. Penn,	ay	{ ay
<i>New-Jersey</i> , Mr. Witherspoon,	ay	{ div.	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	{ ay
	Clark,	no	<i>Georgia</i> ,	Mr. Langworthy,	ay	{ ay
<i>Pennsylvania</i> , Mr. Roberdeau,	ay	{		Wood	ay	{
	J. B. Smith,	ay				
	Clingan,	ay				
	Jas. Smith,	ay				

So it was resolved in the affirmative.

*Resolved*, That Mons. Goy, Mons. Pierre, Mons. Boichard, Mons. Parrison, and Mons. Niverd, be appointed captains of artillery, and receive the common appointments of that command while in America :

That the serjeants be appointed second lieutenants of artillery, with the common appointment of that command while in America.

*Resolved*, That captain Isaac Corren receive monthly 25 dollars additional pay, besides his present appointments, in consideration of his teaching the laboratory art to such officers of artillery as shall be sent to him for that purpose.

*Ordered*, That 2000 dollars be advanced to captain Isaac Corren, to pay his company of laboratory artillery-men, and to recruit the said company to 100 men, agreeably to the directions of general Washington ; he to account for the expenditure to colonel Benjamin Flower, who is to be charged with the same.

*Resolved*, That Mr. Penn be added to the committee on the state of Georgia.

A letter, of the 28th of January, from Mr. M. Clarkson, was read, signifying his acceptance of the office of auditor, to which Congress had been pleased to appoint him.

A letter, of the 20th of Jan. from gen. Sullivan ; a letter, of the 12th of Jan. from A. Cary, speaker of the senate, and George Wythe, speaker of the house of delegates, of Virginia, and one, of the 29th, from the committee of Congress at the camp, were read.

The committee on the treasury brought in a report : Whereupon,

*Ordered*, That a warrant issue on the commissioner of the continental loan-office for the state of North-Carolina, for 20,000 dollars, in favor of the committee of commerce, to be by them transmitted to Messrs. Hewes and Smith, for public service ; the said committee to be accountable.

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the continental loan-office in the state of Massachusetts-Bay, for 3000 dollars, in favor of the committee of commerce, to be by them transmitted to James Warren, esq. for public service ; the said committee to be accountable.

*Ordered*, That a warrant issue on the treasurer in favor of William Buchanan, esq. commissary-general, for 312,000 dollars, of which 200,000 dollars are to be transmitted to William Aylett, esq. deputy commissary-general of purchases for the southern district, and the residue, viz. 112,000 dollars, for the use of the middle department ; for which the said commissary-general is to be accountable.

*Ordered*, That a set of bills of exchange be drawn by the president on the commissioners in France, for 600 livres tournois, in favor of lieut. Fouquet, one of the officers of the late Mons. du Coudray's corps, it being for his gratification allowed by Mr. Deane, and not included in the settlement with Mr. le Brun, on the 13th of Nov. last ; and that the two sets of bills, drawn on the commissioners aforesaid, bearing date the 14th of Nov. last, one in favor of capt. Fouquet, for 573 livres, and the other, in favor of lieut. Fouquet, for 287 livres tournois, be delivered to them, and be in full of their pay to the said 14th of Nov. last.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, February 5, 1778.

*Resolved*, That the committee on foreign applications be directed to examine into the circumstances of the French officers who have been detained in this town, under a promise of having their expenses borne until employed, or until they can have a positive answer that they cannot be taken into the service, and that the committee report what sums should be paid them.

*Ordered*, That the board of treasury take into consideration the services of Charles Thomson, esq. in executing the office of secretary of Congress

since the 10th day of May, 1776, the time he was last paid up to, and report an adequate allowance.

A letter, of the 3d, from the council of Pennsylvania, to the delegates of that state, in Congress, was laid before Congress, and read.

The committee, to whom was referred the proposal of the board of war, respecting founderies, brought in a report; Whereupon,

*Resolved*, That the board of war and ordnance be directed to lay before Congress an estimate of the expense of erecting and carrying on a foundery for brass ordnance, the number of persons necessary to conduct the business, and the proper salaries for each.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant be drawn on the treasurer in favor of Mr. Anthony Butler, agent to quarter-master general Mifflin, for 12,000 dollars, for the use of three brigades of wagons about to be despatched to North-Carolina for clothing; for which the said quarter-master general is to be accountable.

*Ordered*, That there be advanced to col. Donald Campbell, 533 30.90 dollars, for which he is to be accountable, and that a warrant issue on the treasurer for the said sum.

*Resolved*, That the pay of commissioners of accounts in the several departments be augmented to five dollars a day.

*Resolved*, That the captain or commanding officer of each company in the service of the United States, shall, at the end of every month, furnish the regimental pay-master with a pay-roll, containing the names of the commissioned and non-commissioned officers and private<sup>s</sup> of the company, their rank, the time from and to which they are to be paid, their monthly pay, the sums due to each, and a column for casualties, in which is to be inserted the dates of deaths, desertions, discharges, and captivities: and the several regimental pay-masters shall respectively keep true copies of such pay-rolls, and cause the amount thereof to be added to the proper abstracts of field and staff officers, that the whole may be examined, as heretofore ordered by Congress.

*Resolved*, That the treasurer be directed to send to William Palfrey, esq. the money ordered on the 14th of Jan. last, under such escort as the board of war shall furnish, the commanding officer of the escort to give his receipt for the same to the treasurer, which receipt shall be cancelled, by lodging with the treasurer, in lieu thereof, the receipt of the pay-master general.

The committee appointed on the 27th day of Aug. 1777, to collect evidence of the state of the army in the northern department, and also of the state of the troops, military stores and provisions at the posts of Ticonderoga and Mount-Independence, before, and at the time when the evacuation was determined on, report, "That they have made the fullest enquiry in their power into the several articles enumerated in the resolve of Congress of the date above mentioned, and have collected a variety of evidence, which they are ready to transmit to general Washington;" Whereupon,

*Resolved*, That the committee be directed to transmit the evidence by them collected to gen. Washington, and that he be authorized and directed to appoint a court-martial for the trial of the general officers who were in the northern department when Ticonderoga and Mount-Independence were evacuated, agreeably to the rules and articles of war:

That two counsellors, learned in the law, be appointed to assist and co-operate with the judge-advocate in conducting the trial.

Congress proceeded to the election of two counsellors, and the gentlemen following were elected, viz. Jonathan D. Sergeant, esq. attorney-general for the state of Pennsylvania; William Patterson, esq. attorney-general for the state of New-Jersey.

*Resolved*, That the commander in chief be directed to transmit to Con-



*Resolved*, That Mons. Goy, Mons. Pierre, Mons. Boichard, Mons. Parrison, and Mons. Niverd, be appointed captains of artillery, and receive the common appointments of that command while in America :

That the serjeants be appointed second lieutenants of artillery, with the common appointment of that command while in America.

*Resolved*, That captain Isaac Corren receive monthly 25 dollars additional pay, besides his present appointments, in consideration of his teaching the laboratory art to such officers of artillery as shall be sent to him for that purpose.

*Ordered*, That 2000 dollars be advanced to captain Isaac Corren, to pay his company of laboratory artillery-men, and to recruit the said company to 100 men, agreeably to the directions of general Washington ; he to account for the expenditure to colonel Benjamin Flower, who is to be charged with the same.

*Resolved*, That Mr. Penn be added to the committee on the state of Georgia.

A letter, of the 28th of January, from Mr. M. Clarkson, was read, signifying his acceptance of the office of auditor, to which Congress had been pleased to appoint him.

A letter, of the 20th of Jan. from gen. Sullivan ; a letter, of the 12th of Jan. from A. Cary, speaker of the senate, and George Wythe, speaker of the house of delegates, of Virginia, and one, of the 29th, from the committee of Congress at the camp, were read.

The committee on the treasury brought in a report : Whereupon,

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*Ordered*, That a set of bills of exchange be drawn by the president on the commissioners in France, for 600 livres tournois, in favor of lieut. Fouquet, one of the officers of the late Mons. du Coudray's corps, it being for his gratification allowed by Mr. Deane, and not included in the settlement with Mr. le Brun, on the 13th of Nov. last ; and that the two sets of bills, drawn on the commissioners aforesaid, bearing date the 14th of Nov. last, one in favor of capt. Fouquet, for 573 livres, and the other, in favor of lieut. Fouquet, for 287 livres tournois, be delivered to them, and be in full of their pay to the said 14th of Nov. last.

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The committee on the treasury brought in a report : Whereupon,

*Ordered*, That a warrant issue on the commissioner of the continental loan-office for the state of North-Carolina, for 20,000 dollars, in favor of the committee of commerce, to be by them transmitted to Messrs. Howe and Smith, for public service ; the said committee to be accountable.

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the continental loan-office in the state of Massachusetts-Bay, for 200 dollars, in favor of the committee of commerce, to be by them transmitted to James Warren, esq. for public service ; the said committee to be accountable.

*Ordered*, That a warrant issue on the treasurer in favor of William Buchanan, esq. commissary-general, for 312,000 dollars, of which 200,000 dollars are to be transmitted to William Aylett, esq. deputy commissary-general of purchases for the southern district, and the residue, viz. 112,000 dollars, for the use of the middle department ; for which the said commissary-general is to be accountable.

*Ordered*, That a set of bills of exchange be drawn by the president and commissioners in France, for 600 livres tournois, in favor of lieutenant one of the officers of the late Mons. du Coudray's corps, it being the gratification allowed by Mr. Deane, and not included in the settlement with Mr. le Brun, on the 13th of Nov. last ; and that the two sets of bills, drawn on the commissioners aforesaid, bearing date the 14th of Nov. last, one in favor of capt. Fouquet, for 573 livres, and the other, in favor of lieutenant Fouquet, for 287 livres tournois, be delivered to them, and be in full of their due to the said 14th of Nov. last.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, February 5, 1778.

*Resolved*, That the committee on foreign applications be directed to enquire into the circumstances of the French officers who have been detained in this town, under a promise of having their expenses borne until employed or until they can have a positive answer that they cannot be taken into service, and that the committee report what sums should be paid them.

*Ordered*, That the board of treasury take into consideration the services of Charles Thomson, esq. in executing the office of secretary of Congress.

officer bring back a receipt from the pay-master general, to be lodged with the treasurer ; the pay-master general to be accountable.

Congress took into consideration the report of the committee to whom were referred the letters from Dr. Shippen, Dr. Rush, and others ; and there-upon came to the following resolutions :

For the better regulating the hospitals of the United States,

*Resolved*, That there be a deputy director-general for the hospitals between Hudson's and Potomac rivers ; and that the superintending care of the director-general be extended equally over the hospitals in every district, and that he be excused from the duty of providing supplies, when the deputy director-general shall be ready to enter upon the office :

That the several officers of the hospitals shall cease to exercise such of their former powers as are herein assigned to other officers thereof :

That in the absence of the director-general from any district, the physician-general and surgeon-general shall hereafter determine the number of hospitals to be provided by the deputy director-general for the sick and wounded, and shall superintend and controul the affairs of such hospitals :

That the director-general shall consult with the physician-general and surgeon-general in each district, about the supplies necessary for the hospitals, and shall give orders in writing to the deputy director-general thereof to provide the same ; and, in the absence of the director-general, the physician-general and surgeon-general shall issue such orders :

That each deputy director-general shall appoint one or more of the assistant deputy directors, under him, to the sole business of providing beds, furniture, utensils, hospital clothing, and such like articles ; and shall appoint one or more to provide medicines, instruments, dressings, herbs, and necessities of a similar kind :

That the director-general shall frequently visit the hospitals in each district, and see that the regulations are carried into effect ; shall examine into the number and qualifications of the hospital officers, report to Congress any abuses that may have taken place, and discharge the supernumerary officers, if there be any, that all unnecessary expense may be saved to the public ; and when the director-general is in any particular district, the physician-general and surgeon-general in that district shall not appoint any officers without his consent :

That, on the settlement of hospital accounts, the officers entrusted with public money shall produce vouchers to prove the expenditure, and receipts from the proper officers of the hospitals, specifying the delivery of the stores and other articles purchased ; and the apothecaries, mates, stewards, matrons, and other officers, receiving such stores and other articles, shall be accountable for the same, and shall produce vouchers for the delivery thereof from such officers, and according to such forms as the physicians-general and surgeons-general have directed, or shall, from time to time, direct ; which forms and directions the physicians and surgeons-general shall report to the board of treasury :

That the director-general, or, in his absence from the district, the physician-general, and surgeon-general, shall appoint a ward-master for each hospital, to receive the arms, accoutrements and clothing of each soldier admitted therein, keeping entries of, and giving receipts for such articles, which, on the recovery of the soldier, shall be returned to him, or, in case of his death, the arms and accoutrements shall be delivered to the commissary or deputy-commissary of military-stores, and receipts be taken for the same ; and the ward-master shall receive and be accountable for the hospital clothing ; and perform such other services as the physician-general or surgeon-general shall direct :

That the physician-general and surgeon-general shall hereafter make no re-

gress, the proceedings of all general courts-martial held on the trial of general officers.

Congress took into consideration the letter of the 3d, from the council of Pennsylvania to their delegates in Congress: Whereupon,

*Resolved*, That a committee of three be appointed to take into consideration the said letter; that the board of war be directed to lay before the said committee the whole of their proceedings in consequence of the resolution of Congress of the 15th of January last, for the laying up magazines of flour for the use of the army; and that the said committee report, as soon as may be, what measures should be taken for that purpose: the members were, Mr. M'Kean, Mr. Henry, and Mr. Ellory.

A letter, of the 3d, from gen. Washington, was read.

Congress took into consideration the report of the board of war of the 28th of January: Whereupon,

*Resolved*, That the following plan be adopted for carrying into immediate execution the important business of the quarter-master general:

1st. The military line, to be styled the quarter-master general's, which is to include the regulating of marches, encampments, order of battle, &c. as described in the books of the profession:

This officer not to have the disposal of public money, except small occasional sums for defraying petty expenses in the army.

2d. The commissary of forage, who is to be confined to that article's purchases.

3d. The commissary for horses and wagons.

4th. The agents for the purchase of tents, entrenching tools, building of barracks, and for all the smaller supplies of the department.

The three last to be governed in their purchases by the estimates and orders of the quarter-master general or the board of war.

*Ordered*, That the board of war prepare suitable regulations for the quarter-master general's department, agreeable to the foregoing plan.

The board of war having returned the memorial of lieut. col. Dyer on their opinion thereon, Congress took the same into consideration; and thereupon,

*Resolved*, That gen. Washington be directed to extend lieut. col. Dyer's furlough to the 1st of April; and if, at that time, he shall not have recovered his health, so as to be able to take the field, that his resignation be accepted.

A letter, of Jan. the 13th, from major-general Heath, at Boston, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to the board of war.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, February 6. 1778.

*Resolved*, That a committee of three be appointed to take into consideration the intelligence, with power to extract and digest the same, and to report thereon as they shall think proper: the members were, J. B. Smith, Mr. Lovell, and Mr. H.

The committee on the treasury being reported on.

*Ordered*, That a warrant issue out of the Delaware state, for 10,000 d. to George Read, esq. vice-president of the Delaware battalion; to be paid by the treasurer, for the use of the said battalion.

*Ordered*, That a warrant issue out of the Delaware state, in favor of William Palfrey, esq. payable by the treasurer, for the use of the said battalion, for the money from the officer's accounts.



issue proper warrants on the pay-master or deputy pay-master-general in discharge thereof :

That it be recommended to the legislatures of the respective states, forthwith to transmit to the board of treasury, duplicate accounts of all monies heretofore advanced by them for the United States, to regimental pay-masters, or other officers of the army : that the board of treasury be directed to order a record to be kept of such accounts, charging the proper officers therewith ; and that each state sustain the loss which may arise from the detention of its accounts aforesaid, after the first day of July next :

That the auditor-general, commissioners of accounts, pay-master and deputy pay-masters-general, and such other continental officers as may have monies charged in their offices to persons who are to account with the respective auditors, be directed to send, on or before the first day of May next, and afterwards quarterly, to the respective auditors of the army, duplicate accounts of such charges, and to furnish them with the necessary papers and information, when required, for executing their office : and the said auditors are severally directed to observe the same rule with respect to each other, and also once a quarter to transmit, to each of the officers aforesaid, duplicate lists of the regiments, whose accounts they are to audit, and to the board of treasury, a list of accounts received from the several officers aforesaid, together with the names of such of the said officers as shall have neglected to comply with this resolve, in order that the board may have the proper informations, to the end that such speedy and effectual measures may be taken therein as may be just and necessary :

That the auditors shall keep fair and regular books constantly posted, and shall charge therein all accounts referred to them for settlement by the preceding article, and all warrants drawn in favor of persons who are accountable to them for the same : they shall also keep a fair record of all accounts disallowed by them, and of such as are allowed, but not stated in the said books, in order to which, and that the pay-rolls, abstracts and accounts settled by the auditors may be filed in their respective offices, no warrant whatever shall be paid by the pay-master or deputy pay-master general, until the respective auditor shall have certified thereon that it has passed his inspection, and that the accounts and vouchers thereto belonging are lodged in his office :

That each recruiting-officer shall produce certificates from the muster-master or deputy muster-master general, specifying the number of non-commissioned officers and soldiers, and if officers of the light-horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such vouchers as shall be necessary to prove the sums expended for these articles, the subsistence of the troops before their joining the army, the loss of money by death, desertions of non-commissioned officers or soldiers before muster, or other necessary expenses, agreeably to the resolves of Congress in such case provided :

That if any officer shall not, within one month after application for that purpose, render his account to the proper auditor, or shall be guilty of withholding or embezzling the public money, such auditor shall make report thereof to the commanding officer of the army, who shall order a court-martial on such officer, in order that he may be dealt with according to the rules and articles of war in that case provided :

That each regimental pay-master or other officer of the army shall, upon settlement of his account, refund all sums of money, which he has drawn for, but not paid to prisoners, deserters, and men who have died in the service ; and the auditor shall keep an alphabetical record of the names of such prisoners, deserters and dead men, together with the sums received on account of each ; and upon application of any prisoner or his agent, or the

turns to the deputy directors-general, but the returns shall be made by the said officers respectively to the director-general, who shall carefully transmit copies of each with his monthly return to Congress, and suspend such of the officers aforesaid as neglect this or any other part of their duty, and shall report their names to Congress :

That the director and deputy directors-general forthwith prepare their accounts, and adjust them with the commissioners of claims :

That four dollars a-day, and the former allowance of rations, be restored to each assistant deputy-director and the commissary of the hospital in each district ; and one dollar a-day, and two rations, to each surgeon :

*Resolved*, That Dr. Potts be called from the northern district, and appointed to act as deputy director-general in the middle district.

*Resolved*, That the eldest assistant deputy-director in the northern district shall execute the office of deputy director-general in the said district until the further orders of Congress :

That the salaries of the hospital-officers and debts contracted in the hospitals of the middle-district to the time of Dr. Potts's entering upon the office of deputy director-general therein, shall be adjusted and paid by the director-general, who shall deliver all the public stores in his possession to the deputy director-general or his order, taking duplicate receipts for same, and transmitting one of each to the board of treasury ; and the same rule shall be observed by Dr. Potts with respect to the salaries and debts of the hospital of the northern district, and the public stores thereof, which are to be delivered to his successor in office in that district.

Congress proceeded to the election of a physician-general in the middle district, in the room of Dr. Rush, and the ballots being taken, Dr. John Brown was elected.

The committee to whom was referred the report of the committee appointed to consider the proposals contained in the committee sent to camp, brought to the following resolutions :

Whereas, it has been found by a resolution of Congress of the 29<sup>th</sup> that such officers as have been intrusted with the public monies of the United States that disburse the same, have not had the care and fidelity of the United States that disburse of their public monies, to the detriment of that system of corruption and tyranny which has been the bane of their unnatural enemies :

*Resolved*, That the resolution of Congress of the 29<sup>th</sup> which empowers the commissioners of claims to make affirmations, be repealed.

That a suitable number of auditors be appointed for the armies of the United States

That it shall be the duty of each auditor to be appointed, and not to be absent without leave, to call to account all regimental- and company-accounts, and have not accounted for the pay-rolls and abstracts of the companies, and to certify the same to the master general, who shall previously settle all other accounts of the departments of the quarter-master-general, and of the commissaries and military stores ; to certify and settle any accounts, and to present such accounts to the auditing officer, who shall thereupon, on

issue proper warrants on the pay-master or deputy pay-master-general in discharge thereof :

That it be recommended to the legislatures of the respective states, forthwith to transmit to the board of treasury, duplicate accounts of all monies heretofore advanced by them for the United States, to regimental pay-masters, or other officers of the army : that the board of treasury be directed to order a record to be kept of such accounts, charging the proper officers therewith ; and that each state sustain the loss which may arise from the detention of its accounts aforesaid, after the first day of July next :

That the auditor-general, commissioners of accounts, pay-master and deputy pay-masters-general, and such other continental officers as may have monies charged in their offices to persons who are to account with the respective auditors, be directed to send, on or before the first day of May next, and afterwards quarterly, to the respective auditors of the army, duplicate accounts of such charges, and to furnish them with the necessary papers and information, when required, for executing their office : and the said auditors are severally directed to observe the same rule with respect to each other, and also once a quarter to transmit, to each of the officers aforesaid, duplicate lists of the regiments, whose accounts they are to audit, and to the board of treasury, a list of accounts received from the several officers aforesaid, together with the names of such of the said officers as shall have neglected to comply with this resolve, in order that the board may have the proper informations, to the end that such speedy and effectual measures may be taken therein as may be just and necessary :

That the auditors shall keep fair and regular books constantly posted, and shall charge therein all accounts referred to them for settlement by the preceding article, and all warrants drawn in favor of persons who are accountable to them for the same : they shall also keep a fair record of all accounts allowed by them, and of such as are allowed, but not stated in the said books, in order to which, and that the pay-rolls, abstracts and accounts settled by the auditors may be filed in their respective offices, no warrant whatever shall be paid by the pay-master or deputy pay-master general, until the respective auditor shall have certified thereon that it has passed his inspection, and that the accounts and vouchers thereto belonging are lodged in his office :

That each recruiting-officer shall produce certificates from the muster-master or deputy muster-master general, specifying the number of non-commissioned officers and soldiers, and if officers of the light-horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such vouchers as shall be necessary to prove sums expended for these articles, the subsistence of the troops before joining the army, the loss of money by death, desertions of non-commissioned officers or soldiers before muster, or other necessary expenses, agreeably to the resolves of Congress in such case provided :

That if any officer shall not, within one month after application for that purpose, render his account to the proper auditor, or shall be guilty of withholding or embezzling the public money, such auditor shall make report thereof to the commanding officer of the army, who shall order a court-martial on such officer, in order that he may be dealt with according to the said articles of war in that case provided :

That each regimental pay-master or other officer of the army shall, upon settlement of his account, refund all sums of money, which he has drawn out not paid to prisoners, deserters, and men who have died in the service, and the auditor shall keep an alphabetical record of the names of prisoners, deserters and dead men, together with the sums received on account of each ; and upon application of any prisoner or his agent, or the

general of military stores, was laid before Congress, and after some time spent thereon,

Adjourned to three o'clock.

THREE O'CLOCK, P. M.

Congress proceeded to consider farther the report of the board of war, on the department of the commissary-general of military stores ; but, not having time to go through the same,

*Resolved*, That the consideration thereof be postponed till to-morrow.

*Resolved*, That another chaplain be chosen for the hospital in the middle department: the ballots being taken, the Rev. James Sprout was elected.

The delegates from North-Carolina laid before Congress a resolution of the general assembly of that state, recommending col. Jethro Sumner and col. Thomas Clark, of the North-Carolina forces, to be elected brigadiers.

A letter, of February 8th, from captain Bedaulx, was read.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *February 11, 1778.*

A letter, of the 6th, from the board of war, was read :

*Ordered*, That it be referred to the board of treasury.

A letter, of the 10th, from major John Clark, was read, mentioning his acceptance of the office of auditor, to which Congress has been pleased to appoint him.

A petition from col. John Chandler, of the continental forces, was laid before Congress and read, setting forth, that "he labors under a disorder which renders him unable to do his duty in the field," and expressing his apprehension "that the fatigues of the camp will prove fatal to him," and therefore praying "that he may have leave to resign his commission:" Whereupon,

*Resolved*, That col. J. Chandler have leave to resign his commission.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Mons. Fleury, for 200 dollars, for the payment of a horse, and in lieu of one he had killed in the public service, and that this sum be paid to John Penn, esq.

That a warrant issue on the treasurer in favor of John Gibson, esq. auditor-general, for 13,000 dollars, to enable him to discharge the residue of a warrant of the 1st of September last, in favor of the delegates of Georgia ; he to be accountable.

That a warrant issue on the treasurer for 126 60.90 dollars, in favor of J. B. Smith, esq. the amount of his account of pay and rations as muster-master general of the flying camp and militia in 1776, as settled by John Wilcocks and Peter Chevalier, esqrs. a committee appointed by Congress for settling the militia accounts.

A letter, of the 29th of Jan. from William Aylett, esq. to William Buchanan, commissary-general of purchases, was laid before Congress, and read :

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. F. L. Lee, Mr. Lovell, and Mr. Penn.

The committee to whom the letter of the 2d from major-general Gates was referred, brought in a report, which was taken into consideration ; Whereupon, Congress came to the following resolution :

Whereas, gen. Gates has hitherto retained his aids-de-camp and secretary in his family, having expectations in a short time again to take the field ; and whereas, the removal of his family to York-town, and their manner of living in a public house, has been unavoidably very expensive, before he could procure a house for them :

*Resolved*, That a warrant issue on the treasurer, payable to gen. Gates, for 1333 1-3 dollars, in order to reimburse his extraordinary expenses incurred in the public service.

Congress resumed the consideration of the report of the board of war, on the department of the commissary-general of military stores; Whereupon,

*Resolved*, That there shall be one commissary-general of military stores, whose business it shall be to receive and deliver all arms, ammunition, and accoutrements, of every species and denomination; to provide and contract for all such articles as may be wanted in this department, according to the direction he shall receive from the board of war and ordnance; to receive and collect returns from all the different states where there are any continental arms and stores, draw them into one general return, and, on the first day of every month, deliver one to the board of war and ordnance:

In case of vacancy, occasioned by death, resignation, or otherwise, of any of the commissaries, commissaries' deputies or conductors, which may happen in any department near to where the commissary-general may be, he shall have permission to fill such vacancy, pro tempore, until it shall be confirmed or disapproved by Congress:

All moneys to be drawn on account of military stores, to be, by application of the commissary-general or his deputies, to the board of war and ordnance; and all moneys so drawn to be accounted for by him once in every six months to the board of treasury, or to such auditors or commissioners as the said board shall direct. All commissaries, deputy commissaries, or conductors, who may have money advanced them by the commissary-general for the use of their several departments, to keep regular accounts, and produce vouchers and receipts for the sums paid, and account for the same to the commissary-general once every month, or as often as called for.

All continental armourers shall be under the direction of the board of war and ordnance, and of the commissary-general of military stores; the armourers to receive from the said commissary all arms to be repaired, make returns of the state of repairs when demanded, and deliver the arms when repaired into his store: the principal armourer or armourers at each and every armoury to be accountable for all such arms as he or they shall receive, until they are repaired and delivered to the commissary-general, his deputies or assistants; and the said commissary-general shall see that every method is taken by the armourers to hasten the repairs of the arms; the principal armourers to receive money from the commissary-general for the contingent expenses of their departments, and the commissary-general shall produce their accounts and vouchers at the adjustment of his accounts:

That there be as many deputies, assistants, commissaries, deputy commissaries, conductors, and clerks, as the exigency of the service shall require, to be appointed by the board of war and ordnance; and the said board are, from time to time, to report all such appointments to Congress:

That the pay of officers in the department of the commissary-general of military stores, be as follows:

Commissary-general 100 dollars per month, and six rations a day; deputy commissaries-general, of which there shall be one in each military division of the states, each 75 dollars per month, and five rations per day:

Commissaries, each	60 dollars per month, and 4 rations per day.			
Deputy commissaries,	50	do	4	do
Conductors,	40	do	2	do
Clerks,	40	do	2	do

The commissary-general shall be allowed forage for two horses; his deputies, assistants, commissaries and conductors, to be allowed forage for one horse each; and the captains of the artillery-artificers, respectively, when duty requires their travelling to collect materials, to have forage for one horse:

That, for the future, no rank be annexed to the officers in this department, except they belong to the regiment of artillery-artificers; and then their rank only to take place as officers of that corps; the pay also which they re-



general of military stores, was laid before Congress, and after some time spent thereon,

Adjourned to three o'clock.

THREE O'CLOCK, P. M.

Congress proceeded to consider farther the report of the board of war, on the department of the commissary-general of military stores; but, not having time to go through the same,

*Resolved*, That the consideration thereof be postponed till to-morrow.

*Resolved*, That another chaplain be chosen for the hospital in the middle department: the ballots being taken, the Rev. James Sprout was elected.

The delegates from North-Carolina laid before Congress a resolution of the general assembly of that state, recommending col. Jethro Sumner and col. Thomas Clark, of the North-Carolina forces, to be elected brigadiers.

A letter, of February 8th, from captain Bedaulx, was read.

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A petition from col. John Chandler, of the continental forces, was laid before Congress and read, setting forth, that "he labors under a disorder which renders him unable to do his duty in the field," and expressing apprehension "that the fatigues of the camp will prove fatal to him," and therefore praying "that he may have leave to resign his commission:" Whereupon,

*Resolved*, That col. J. Chandler have leave to resign his commission.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Mon. Penn. for 200 dollars, for the payment of a horse, and in lieu of one he had killed in the public service, and that this sum be paid to John Penn, esq.

That a warrant issue on the treasurer in favor of John Gibson, esq. major-general, for 13,000 dollars, to enable him to discharge the residue of a warrant of the 1st of September last, in favor of the delegates of Georgia; he to be accountable.

That a warrant issue on the treasurer for 126 60.90 dollars, in favor of B. Smith, esq. the amount of his account of pay and rations as muster-master-general of the flying camp and militia in 1776, as settled by John White and Peter Chevalier, esqrs. a committee appointed by Congress for settling the militia accounts.

A letter, of the 29th of Jan. from William Aylett, esq. to William Bannan, commissary-general of purchases, was laid before Congress, and read.

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. F. L. Lee, Mr. Lovell, and Mr. Penn.

The committee to whom the letter of the 2d from major-general Gates was referred, brought in a report, which was taken into consideration; Whereupon, Congress came to the following resolution:

Whereas, gen. Gates has hitherto retained his aids-de-camp and secretaries in his family, having expectations in a short time again to take the field; and whereas, the removal of his family to York-town, and their manner of living in a public house, has been unavoidably very expensive, before they could procure a house for them:

*Resolved*, That a warrant issue on the treasurer, payable to gen. Gates, for 1333 1-3 dollars, in order to reimburse his extraordinary expenses incurred in the public service.

for three years, or during the war, 20 dollars a month, besides the same bounty, clothing, and every other benefit allowed by Congress to the continental artillery; the officers the same pay as others of equal rank in the continental artillery; and that col. Flower augment the four companies ordered to be raised in January last, add other companies to the said regiment, and, if necessary, increase the pay of officers and men in the same, agreeable to such orders as have been given for that purpose by gen. Washington; and that he be required forthwith to transmit a copy of such orders to Congress.

That if the exigency of the service makes it necessary to employ, at any time or place, more artificers than the commissary may have enlisted or can enlist, then he, his deputies or assistants, may engage them, for the time of such necessity, on the most reasonable terms possible, with the approbation of the board of war and ordnance.

*Resolved*, That col. Flower receive the pay and rations of a colonel from the 16th of July, 1776, to this 11th day of February, 1778.

*Resolved*, That a commission of captain in col. Flower's regiment of artillery-artificers be granted to Wollory Meng, dated the 1st of April, 1777:

That captain-lieutenant Thomas Wylie be promoted to the rank of captain of an additional company to be raised in the said regiment of artillery artificers, his commission to be dated the 1st of February, 1778.

*Resolved*, That the board of war and ordnance be empowered to make a contract with Mr. Byers, as superintendent of a foundry of brass cannon.

*Resolved*, That capt. Ferdinand de Brahm, who has heretofore acted as an engineer in the state of South-Carolina, be appointed an engineer in the continental establishment, with the rank of major in the armies of the United States.

*Resolved*, That Nicholas Rogers, esq. aid-de-camp, have a commission of major, to rank from the 12th of May, 1777, in the service of the United States.

On motion, *Resolved*, That a warrant issue on the treasurer for two months' pay, to be advanced to col. Thomas Hartley, for his regiment, now in York-town.

*Resolved*, That the board of war be directed to take the most proper measures for recruiting colonel Hartley's regiment.

A letter, from Mons. Kermovan, was read:

*Ordered*, That it be referred to the board of treasury.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, *February* 12, 1778.

A letter, from Mons. de Roche Fermoy, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 9th, from John Purviance, was read, desiring leave, on account of the situation of his family, to resign his office of manager of the United States' lottery.

*Resolved*, That he have leave to resign.

*Ordered*, That the letter be referred to the board of treasury.

A letter, of the 11th of January, from gov. Caswell of North-Carolina, enclosing sundry resolutions of the general assembly of that state, was read:

*Ordered*, That the letter be referred to the board of treasury.

A letter, of the 10th, from the board of war, was read.

The committee appointed to take into consideration the letter of the 3d, from the supreme executive council of the state of Pennsylvania, to the delegates of the said state, and the proceedings of the board of war upon the resolution of Congress of the 15th of January, for laying up magazines of flour for the use of the army, brought in a report, which was taken into consideration: Whereupon,

ceive, as officers in that regiment, to be included in the pay herein settled for the officers of the commissary-general's department:

That a return be made to the board of war and ordnance, once every month, of all officers employed in the civil branch of ordnance and military stores.

All commissaries, deputy commissaries, conductors, and clerks, who shall have the separate charge of any stores, are, on the first day of every month, to make out an exact return of all cannon and military stores, of every species and denomination, one copy whereof they shall transmit to the commissary-general, who is to put them into one general return, as heretofore directed, and one other copy thereof the said commissaries, deputy commissaries, conductors and clerks, are to send to the board of war and ordnance.

All the artillery-artificers that are or may be employed at any armories, laboratories, founderies, or military magazines, (those employed with the army in the field excepted) shall be under the immediate direction and subject to the orders and command of the commissary-general, or the officer directed by him to take charge of the same.

The quarter-master general, his deputies and assistants, shall give the commissary-general every assistance of teams for the removal of public stores, and in case there be no quarter-master in the department or place from whence the stores are to be removed, the commissary-general shall have power to procure teams in the way and manner that will best promote the public service.

All officers, artificers, and others, in the ordnance and military department shall be governed by the rules and articles of war, in the same manner as other officers in the artillery of the United States.

The commissary-general shall give such forms or returns and instructions to his deputies, assistant commissaries, conductors, &c. as the service and situation of their department shall require; and all officers in the department are to attend to such orders and instructions as they shall receive from time to time, from the board of war and ordnance or the commissary-general.

All regulations incidental to the department, and not enlarging the powers and authorities here given, shall be settled and made by the board of war and ordnance.

The board of war and ordnance shall transmit, from time to time, as to service shall render necessary, transcripts of all returns received from the commissary-general of military stores, and also accounts of all ordnance stores under their care, or belonging to the United States, and the place where the same are deposited, to the commander in chief of the armies of the United States, in order that he may make such requisitions of supplies for the army under his immediate command, or for the separate departments as he shall think proper, and give such advice and directions as to the disposition of them, as circumstances may, from time to time, require.

The commanding officer of artillery, for the time being, in the grand army, with the chief engineer, commissary of artillery, and eldest colonel of artillery in camp, or such of them as are present with the army, shall be a subordinate board of ordnance, under the direction of the commander in chief or the board of war and ordnance, for transacting all business of the ordnance department, necessary to be done in the field, and to have the care of all ordnance and stores at camp; and in case of sudden exigencies the commissary-general of military stores shall be obliged to obey their directions as to any supplies wanted by the army out of the stores not in camp; the said board shall correspond with, and report their proceedings to, the board of war and ordnance, from whom they are to receive any necessary assistance.

*Resolved*, That the pay of col. Benjamin Flower's corps of artillery officers shall be, for all those who engage to serve the United States as

The committee to whom was referred the letter of W. Aylett, esq. deputy commissary-general of purchases in Virginia, brought in a report, which was taken into consideration ; Whereupon, Congress came to the following resolution :

Whereas, there is great danger of the armies of the United States being very much distressed, if the exportation of beef and pork from the state of North-Carolina be not immediately prohibited ; therefore,

*Resolved*, That the legislative and executive powers of the state of North-Carolina be earnestly requested immediately to lay an embargo on all beef and pork, except so much as may be necessary for the vessels use for the voyage, and to take the most effectual measures to prevent the embargo from being evaded.

A letter, of this day, from the board of war, was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Forbes, Mr. Clark, and Mr. F. L. Lee.

The committee on the treasury brought in a report : Whereupon,

*Ordered*, That the 10,000 dollars ordered to be advanced to the board of war and ordnance, for contingent expenses, on the 26th day of January last, be paid to Joseph Nourse, esq. pay-master of the said board, for the purpose before mentioned ; the said Joseph Nourse to be accountable.

The committee appointed to examine into the circumstances of the French officers who have been detained under a promise of having their expenses borne, brought in a report, which was taken into consideration ; Whereupon,

*Ordered*, That 910 dollars be paid to Mons. de la Balme, in full of all claims and demands against the United States, and that the committee on foreign applications inform Mons. de la Balme that Congress have no farther occasion for his services :

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 100 dollars be advanced to Charles Cist, to defray his expenses to Baltimore, and to a paper-mill on Gunpowder river, on the public account ; he to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Dr. John Witherspoon, for hay for the army, and wood for the hospital at Princeton, as appears by the certificate of Enos Kelsey, acting in the quarter-master's department, 429 30.90 dollars :

To Belcher P. Smith, for his services as clerk in the secretary's office, from the 6th of November to the 5th of February, inclusive, being three months, and for some necessaries purchased for the office, 197 60.90 dollars :

To John Dunlap, for printing sundry resolves of Congress from the 31st of October, 1776, to the 10th of Sept. 1777, a balance of 1174 69.90 dollars :

To the Rev. Mr. Lotbinier, as chaplain in col. Livingston's Canadian regiment, from the 11th of January to the 10th February, 1778, inclusive, for his pay, exclusive of rations, 40 dollars :

To the estate of John Hart, deceased, for 71 meals victuals, supplied the York county militia, which ought to be paid to his legal representatives, 7 9.90 dollars :

To Andrew Nabinger, of the town of York, for victualling general Lee's guard in 1776, 44 59.90 dollars :

*Ordered*, That the said accounts be paid.

*Ordered*, That the letter of the 29th of January from Mr. Aylett be referred to the committee of commerce and to the marine committee.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of the pay-master of the board of war and ordnance, for 25,000 dollars, to be by him trans-

*Resolved*, That 300,000 dollars be transmitted to the president of the state of Pennsylvania, to enable the commissioners appointed under the law of that state for purchasing provisions for the army, to execute their commission, and that they account to the board of treasury for the expenditure thereof.

THREE O'CLOCK, P. M.

The committee on the treasury, to whom was referred a letter from the board of war, brought in a report, which was taken into consideration: Whereupon,

*Resolved*, That a proper person be appointed to act as secretary of ordnance, and pay-master to the board of war and ordnance:

That his salary shall be 90 dollars a month:

That the said pay-master shall answer all warrants drawn on him by the board of war and ordnance, out of the money which he shall receive by orders of Congress, and shall keep fair accounts of his payments, and make monthly returns thereof to the board of treasury: he shall also transmit returns once a month, or oftener, to the pay-master general, or other proper officer or officers, of all advances made to continental troops, ~~and~~ in actual service, in order that proper stoppages may be made:

That the board of war and ordnance shall, from time to time, submit the proper estimates of money to be advanced for the use of their department, and lay the same before Congress; and all monies granted by Congress, on their application, shall be applied to the purposes set forth in the said estimates.

Congress proceeded to the election of a secretary of ordnance, and pay-master to the board of war and ordnance, and, the ballots being taken, Joseph Nourse, esq. was elected.

*Ordered*, That a warrant issue on the treasurer for 316 dollars, a ~~law~~ of captain Reuben Lipscomb, for the extra month's pay granted to ~~troops~~ under general Washington, by the resolution of the 29th of December last, and which is due to 40 men of the 7th Virginia regiment now on their way to Virginia, who were regularly discharged on the 2d of February, and mentioned in a list signed by brigadier Woodford, and also to captain Lipscomb who conducts them; he to give a receipt for the money, and to account for the same.

The letter, of the 9th of January from gen. Washington, being sent in from the board of war, the same was read; and, a motion being made thereon.

*Ordered*, That the letter, with the motion, be referred to a committee of three: the members chosen, Mr. Clark, Mr. Dyer, and Mr. Ellery.

*Resolved*, That the board of war and ordnance be directed to be very cautious in recommending or giving any encouragement to foreigners who have come of their own accord to seek employment in the army of the United States; that if the board shall find, among such foreigners, any of eminent abilities and merit, who by their knowledge and experience, ~~and~~ in the opinion of the board, render essential service to these states in such way as the board shall be able to point out, Congress expect the board will recommend them: and if any foreigners offer their services, it is also especially respecting them: but, as to all others, they are not to be taken for their offers of service, without incurring expense by unnecessary attendance.

*Resolved*, That 300,000 dollars ordered for Pennsylvania, be paid to the delegates transmitted to the said president.

Adjourned to ten o'clock to-morrow.

FRIDAY, Feb

A letter from Jonathan Hudson, at

*Ordered*, That it be referred to the



judge reasonable, to inspect, receive, store and take care of the provisions aforesaid, and to issue the same upon the orders of the board of war, until Congress shall appoint other store-keepers in their stead :

That the president and council aforesaid be requested to cause a weekly return to be made to the board of war of the quantity of provisions stored at each of the places above-mentioned :

That the board of war give directions and orders to the commissioners appointed by the aforesaid law, in the several counties on the west side of Susquehanna, respecting the quantity of provisions to be purchased or collected by them, and the places to which the same shall be conveyed ; and that the said board appoint a suitable person at each of the places they shall fix on, with such a salary as they shall judge reasonable, to inspect, receive, store and take care of the said provisions, and to issue the same upon the orders of the board of war :

That the commissioners aforesaid be authorized to purchase every kind of provisions and forage wanted for the army, not confining themselves to the article of flour ; that the said commissioners deliver the live-stock, by them purchased, to the order of the deputy commissary-general of purchases, or his assistants, and the forage, to the order of the commissary of forage, or his assistants, to whom severally they are directed to send immediate notice, when such purchases are made, and to take duplicate receipts upon the delivery, one of which they shall transmit to the board of war :

That the board of war be directed to correspond, from time to time, with the president and council of Pennsylvania, respecting the business aforesaid, and if, from the circumstances or situation of affairs, they shall judge it proper or necessary to lessen the quantity of provisions to be laid up between Susquehanna and Delaware rivers, or to change the places of the magazines, that they communicate the same to the president and council, who are requested to attend thereto, and to issue orders to the commissioners to govern themselves accordingly.

And, whereas, the board of war have judged it expedient and necessary, that a greater quantity of flour and other provisions, than was directed by the resolution of Congress of the 15th of January, should be purchased, and other magazines formed, besides those above-mentioned ; and have, agreeably to the powers vested in them by the said resolution of the 15th of January, employed superintendents for the purchase of flour, &c.

*Resolved*, That the board of war proceed in that business, and that they direct their superintendents, to purchase such farther quantities of flour and provisions, and have them conveyed to, and secured in, such places as the board shall direct ; and that they instruct such of their superintendents as may purchase in Pennsylvania, to avoid clashing with the commissioners appointed by the law of that state, in the execution of their duty :

That the said board be empowered to appoint a suitable person at each of the new magazines, which they shall establish, with such a salary as they shall judge reasonable, to inspect, receive, store and take care of the provisions purchased and conveyed thither by the said superintendents, and to issue the same upon the orders of the board of war :

That the superintendents, appointed by the board of war, be allowed a commission, not exceeding  $2\frac{1}{2}$  per cent. on all purchases by them made, in full for their trouble and expenses therein ; and that, in purchasing, they do not exceed the prices established by the laws of the states in which the purchases are made.

While this last was under debate, it was moved, and, by a vote, carried, that a question be first taken on the following addition :

“ And that the president and council of Pennsylvania be empowered to settle the pay, or allowance, to be made to the commissioners appointed by

mitted to Benjamin Harrison, esq. deputy pay-master-general in the eastern department; for which the said B. Harrison is to be accountable.

*Ordered*, That a warrant issue on the treasurer in favor of William Green for 1000 dollars, for the purpose of paying expresses and incidental expenses at the treasury office; for which he is to be accountable.

*Resolved*, That the treasurer be directed to pay to Mr. Joseph Kears, pay-master to the board of war and ordnance, the warrant for 35,000 dollars, dated the 14th of January last, and drawn by the president of Congress, in favor of the board of war; 100,000 of which to be transmitted to Ebenezer Hancock, esq. deputy pay-master-general in the eastern department, and 250,000 to his assistant in the state of Rhode-Island; and on another warrant, dated the 2d instant, drawn in favor of the said board, for 100,000 dollars, to be by him transmitted to the said Ebenezer Hancock, who is to be accountable for both sums.

*Resolved*, That a warrant issue in favor of Charles Thomson, esq. for 3500 dollars in consideration of his faithful services, from the 10th of May 1776, to the 10th of February 1778, as secretary to the United States.

The committee on the state of Georgia brought in a report which read:

*Ordered*, That the consideration thereof be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, February 14, 1778.

*Resolved*, That a committee of three be appointed to review the rules and orders for regulating the conduct of Congress in transacting business, and report such farther rules and regulations as they may judge proper; the members chosen, Mr. Lovell, Mr. Witherspoon and Mr. M'Kean.

The committee to whom the letter from the board of war was sent, report, "that they have prepared sundry resolutions for forwarding the laying up magazines for the supply of the army, and preventing any interference between the commissioners appointed for that purpose by an act of the general assembly of Pennsylvania and the superintendents appointed by the board of war," and that it "is their desire that these resolutions, if agreed to by Congress, supersede the report of the committee on the letter of the 3d from the executive council of Pennsylvania, and the proceedings of the board of war on the resolution of the 15th of January, except what relate to the grant of 300,000 dollars, to the president of the state of Pennsylvania."

The resolutions being read, were agreed to as follows:

Whereas it is expedient and necessary to lay up magazines of powder for the support of the army, and, for that purpose, Congress have directed 12,000 barrels of flour to be deposited at or near Lancaster, 8000 barrels at or near Reading, 6000 barrels at or near Bethlehem, 2000 barrels at Leesburg, and 2000 barrels at Pottsgrove; and, whereas, in compliance of the recommendation of Congress the general assembly of Pennsylvania have, by a law, appointed commissioners to purchase or seize wheat, flour and other provisions for the army, pursuant to such orders as may be directed by Congress;

*Resolved*, That the president and the executive council of Pennsylvania be desired to issue the money to be furnished by Congress, to the said commissioners, and that they instruct them to what they shall think fit; that they instruct the commissioners at Leesburg, without delay, in the same manner, and that they instruct them to what they shall think fit to convey the flour and other provisions to the said commissioners, in order to form the magazines.

That the said executive council be desired to appoint a suitable person at each of the above

A letter, of the 24th of January, from gov. Trumbull, was read, informing "that col. Joseph Trumbull will, if Congress think fit to keep his seat vacant, attend and take his seat at the board of war as soon as his health will permit :"

*Ordered*, That the president inform the governor, that Congress expect col. Trumbull's attendance as soon as his health will permit.

A letter, of the 30th of January, from Thomas Cushing, esq. president of a convention of committees from the New-England states, which met at New-Haven, from the 15th to the 20th of January, with the proceedings of said convention, were read :

*Ordered*, That the same, together with the letter of the 11th, from gov. Caswell, with the resolutions enclosed, be referred to a committee of five : the members chosen, Mr. Witherspoon, Mr. Gerry, Mr. M'Kean, Mr. Lovell, and Mr. Lee.

Sundry letters from the committee of Congress at camp, were read, viz. one, of the 3d, and one of the 5th, with five papers enclosed ; one, of the 6th, with a draught of proposed resolutions, and one, of the 11th, and one, of the 12th.

The delegates of Pennsylvania laid before Congress, a letter of the 7th, from the council of their state, which was read, containing complaints against R. L. Hooper, esq. deputy quarter-master general :

*Ordered*, That it be referred to the board of war.

*Ordered*, That the letter of the 6th, from the committee at camp, so far as relates to the prisoners of the convention at Boston, be referred to a committee of three, who are to confer with the board of war : the members chosen, Mr. Gerry, Mr. Wolcott, and Mr. Ellery.

### THREE O'CLOCK, P. M.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Richard Peters, esq. late secretary to the board of war, his salary from the 13th of June, 1776, to the 27th of November, 1777, being one year, five months, and fourteen days, at 800 dollars per annum, 1164 40-90 dollars, and for his fee for prosecuting the appeal in the case of the ship Elizabeth, 60 dollars ; in all, 1224 40-90 dollars ; that he has received of the board of war, in cash, 928 dollars, and in fire-wood, left at Lancaster, 9 dollars, making in all, 937 dollars, leaving a balance due to Mr. Peters of 287 40-90 dollars :

To Mr. Joseph Nourse, his salary as deputy secretary to the board of war, from the 10th of November, 1777, to the 10th of February, 1778, inclusive, being three months, at 65 dollars per month, 195 dollars ; for cash paid Will. Handen, express to Lancaster, 4 dollars ; the whole amounting to 199 dollars :

To Gotlieb Ziegler, for victualing Pennsylvania militia, in July and August, 1776, 20 3-90 dollars :

*Ordered*, That the said accounts be paid.

A letter from the board of war, with a letter from R. L. Hooper, and sundry papers enclosed, was read :

*Ordered*, That they be referred to a committee of three : the members chosen, Mr. M'Kean, Mr. Clark, and Mr. Scudder.

The committee on the treasury, brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of brigadier de Roche Fermoy, for 800 dollars, to enable him to pay the demands now against him, and procure a passage to the West-Indies ; and that his bills be taken for this sum, and also for the balance that may appear to be due to the United States, on an adjustment of his account at the board of treasury, payable to the treasurer of the United States, at the rate of one dollar for three, being the present exchange.

the law of their state, for their trouble and expense in purchasing, raising and collecting provisions and forage, not exceeding 2½ per cent. on the provisions and forage by them so purchased, or seized, for the army."

<i>N.-Hampshire</i> , Mr. Frost,	ay	ay	<i>Pennsylvania</i> , Mr. Roberdeau,	ay
<i>Massa'tta-Bay</i> , Mr. Gerry,	ay	ay	Clingan,	ay
Lovell,	ay	ay	James Smith,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	ay	<i>Delaware</i> , Mr. McKean,	ay
<i>Connecticut</i> , Mr. Dyer,	no	no	<i>Maryland</i> , Mr. Forbes,	ay
<i>New-York</i> , Mr. Lewis, gave no vote.			Henry,	ay
<i>New-Jersey</i> , Mr. Witherspoon,	ay	ay	<i>Virginia</i> , Mr. F. L. Lee,	ay
Clark,	ay	ay	<i>N.-Carolina</i> , Mr. Penn,	ay
Scudder,	ay	ay	<i>S.-Carolina</i> , Mr. Laurens,	ay
			<i>Georgia</i> , Mr. Langworthy,	ay
			Wood,	ay

So it was resolved in the affirmative.

The question was then put to agree to the resolution to which the last was moved as an addition ;

<i>New-Hampshire</i> , Mr. Frost, gave no vote.			<i>Pennsylvania</i> , Mr. Roberdeau,	ay
<i>Massa'tta-Bay</i> , Mr. Gerry,	ay	ay	Clingan,	ay
Lovell,	ay	ay	Jas. Smith,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	ay	<i>Delaware</i> , Mr. McKean,	ay
<i>Connecticut</i> , Mr. Dyer,	no	no	<i>Maryland</i> , Mr. Forbes,	ay
<i>New-Jersey</i> , Mr. Witherspoon,	ay	ay	Henry,	ay
Clark,	ay	ay	<i>N.-Carolina</i> , Mr. Penn,	ay
Scudder,	ay	ay	<i>S.-Carolina</i> , Mr. Laurens,	ay
			<i>Georgia</i> , Mr. Langworthy,	ay
			Wood,	ay

So it was resolved in the affirmative.

Adjourned to ten o'clock on Monday.

#### MONDAY, February 16, 1778.

Mr. Huntington and Mr. Wolcott, two of the delegates from *Connecticut*, attended, and produced the credentials of their appointment, which were read as follows :

(L. S.) "At a general assembly of the governor and company of the state of Connecticut, holden at Hartford, by adjournment on the 11th of October, Anno Domini 1777 :

"Resolved, by this assembly, That Roger Sherman, Eliphalet Dyer, Samuel Huntington, Oliver Wolcott, Titus Hosmer, Oliver Ellsworth, Andrew Adams, esqrs. be, and they are hereby appointed delegates to represent this state at the general Congress of the United States of America for the year ensuing, and until meeting ; and one or more of them hereby fully authorized and empowered, to counsel, and advise, and taken and pursued for the defence and liberties of the said United States, such their proceedings and resolutions time to time, to the general assembly."

"A true copy of record."

A letter, of the 3d, from James Oglethorpe, general Heath, at Boston. Schuyler, at Albany, with two copies.

Ordered, That they be referred to the committee on the petition of the

A letter, of the 20th, and one from Trumbull, esq. pay-master in the army.

Ordered, That they be referred to the committee on the petition of the

suspend the said R. L. Hooper, Nathaniel Falconer, and Jonathan Mifflin, who are required to lay before Congress their proceedings and accounts.

On motion, That the committee for foreign affairs be directed to write to the commissioners at Paris, and direct them, upon the application of the executive powers of any of these United States, to apply to the court of France for an extension of the leave of absence to such French officers as may be employed in the service of such state :

<i>New-Hampshire</i> , Mr. Frost,	no	} no	<i>Delaware</i> ,	Mr. M'Kean,	ay	} ay
<i>Massa'sts-Bay</i> , Mr. Lovell,	ay	} *	<i>Maryland</i> ,	Mr. Forbes,	ay	} ay
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Henry,	ay	} ay
<i>Connecticut</i> , Mr. Dyer,	no	} div.	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	} *
	Huntington,	ay	<i>N.-Carolina</i> ,	Mr. Penn,	ay	} ay
<i>New-Jersey</i> , Mr. Witherspoon,	ay		<i>S.-Carolina</i> ,	Mr. Laurens,	ay	} ay
	Clark,	no	<i>Georgia</i> ,	Mr. Langworthy,	ay	} ay
	Scudder,	no		Wood	ay	} ay
<i>Pennsylvania</i> , Mr. Roberdeau,	ay					
	J. Smith,	ay				
	Clingan,	ay				

So it was resolved in the affirmative.

A petition from James White was read :

*Resolved*, That four members be added to the committee on appeals : the members chosen, Mr. M'Kean, Mr. Huntington, Mr. Henry, and Mr. James Smith.

*Ordered*, That the foregoing petition be referred to the committee on appeals.

A petition from Peter Shultz, Francis Jones, and others, was read :

*Ordered*, That it be referred to the commissioners of claims.

The committee to whom was referred the letter of the 9th, from general Washington, brought in a report : Whereupon, Congress came to the following resolution :

Whereas, doubts have arisen in the mind of general Washington, to whom the month's extra pay allowed to the army under his immediate command, by the resolution of Congress of the 29th of Dec. last, should be confined :

*Resolved*, That the general be directed to order the same to be paid to all the continental forces under his immediate command at the time of passing the said resolution, whether in camp, hospitals, or on furlough, excepting all such as were then absent, without leave regularly obtained, or who had abused the indulgence granted them.

Congress took into consideration a report of the board of war, of the 22d of July, on the letter of the 8th of the same month, from brigadier R. Howe ; Whereupon,

*Resolved*, That brigadier R. Howe's appointment of Henry Purcell, to be deputy judge-advocate general for the states of South-Carolina and Georgia, be confirmed.

A letter, of the 31st of January, from governor Caswell, of North-Carolina, was read :

*Ordered*, That it be referred to Mr. Lee and Mr. Lovell.

A letter, of the 8th, from gen. Washington, with sundry letters enclosed, which passed between him and gen. Howe, was read :

*Ordered*, That the same be referred to a committee of three : the members chosen, Mr. Gerry, Mr. M'Kean, and Mr. Ellery.

*Resolved*, That to-morrow be assigned for taking into consideration the letters from the committee at camp, respecting recruiting the army.

Mr. Lewis, one of the delegates from New-York, laid before Congress an account of moneys expended by that state for the support of prisoners, with the vouchers :

*Ordered*, That they be referred to the board of treasury.



A letter, of the 10th of January, from gov. Clinton, of New-York, to M. Francis Lightfoot Lee, was laid before Congress, and read :

*Ordered*, That it be referred to the board of war.

Another letter, of the 16th, from gov. Clinton, was read.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of New-York, for the sum of 50,000 dollars, in favor of Jonathan Trumbull, jun. esq. deputy pay-master general for the northern department ; for which he is to be accountable.

*Resolved*, That two millions of dollars be emitted, under the direction of the board of treasury, and on the faith of the United States :

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed the 21st of January last, be numbered from the last number of each respective denomination of that emission, progressively, and consist of the following denominations :

30,770 bills of 2 dollars each	61,540	30,768 bills of 6 dollars each	184,608
30,768 do. of 3 do. -	92,304	30,768 do. of 7 do. -	215,376
30,768 do. of 4 do. -	123,072	30,770 do. of 8 do. -	246,160
30,768 do. of 5 do. -	153,840	30,770 do. of 30 do. -	923,100

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the emission directed on the 10th of May last, shall extend to the said two millions now to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

Adjourned to ten o'clock to-morrow.

## TUESDAY, February 17, 1778.

A letter from the Rev. Mr. Lotbinier, was read :

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of captain Peter Dolliver, for 2247½ dollars, in discharge of col. Palfrey's draught of the 13th inst. on the president of Congress, in favor of lieut. col. William Smith, as endorsed by him to the said Dolliver for that sum ; William Palfrey, as to be accountable.

A letter of the 14th, from major-general Mifflin, at Reading, was read.

The committee to whom was referred, the letter from the board of war with the letter from R. L. Hooper, and others, brought in a report, which was taken into consideration : Whereupon, Congress came to the following resolution :

Whereas, by the resolutions of the 14th inst. the commissioners appointed by the state of Pennsylvania were authorized and directed to purchase and store in magazines, 30,000 barrels of flour, on the east side of Susquehanna, and by a letter, since laid before Congress, from R. L. Hooper, Nathaniel Falconer, and Jonathan Mifflin, jun. three of the superintendents appointed by the board of war, in pursuance of a resolve of the 15th of January last it appears that the said superintendents are making contracts for executing the business entrusted with the said commissioners, contrary to the intention of Congress expressed in their said resolutions : and whereas, it appears by the aforesaid letter, that the above named superintendents, without any authority, in direct violation of the laws of Pennsylvania, and contrary to the instructions given by the board of war, have presumed to fix and ascertain the prices of several other articles wanted in the army, much higher than fixed by law in the state, directing the quarter-masters to govern themselves by such illegal rates : therefore,

*Resolved*, That the board of war be directed immediately to recall all

THURSDAY, *February* 19, 1778.

A letter, of the 18th, from the board of war, with one enclosed from Cornelius Sweers, deputy commissary-general of military stores, was read :

*Ordered*, That the same be referred to the board of treasury.

*Resolved*, That general Mifflin be directed to attend immediately the board of war, and that he order the several deputies and agents under him in the department of the quarter-master general to proceed vigorously in executing the business of that department, without attending to the settlement of their respective accounts, until the department is properly arranged, and they can attend to the settlement of their accounts without detriment to the public cause.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That the following warrants issue in favor of major-general Mifflin, quarter-master general, for the use of his department, and for which he is to be accountable, viz.

One warrant on the treasurer for 250,000 dollars, to be transmitted to him by Joseph Nourse, esq.

One warrant on Thomas Smith, esq. commissioner of the continental loan-office in the state of Pennsylvania, for 150,000 dollars.

*Ordered*, That a warrant issue on the treasurer in favor of Joseph Nourse, esq. pay-master to the board of war and ordnance, for the sum of 50,000 dollars, to be applied by the said board for the use of the department of the commissary-general of military stores ; the said pay-master to be accountable :

That a warrant issue on the treasurer in favor of Thomas Hughes, pay-master to the 7th Virginia regiment, for 9630 dollars, it being in discharge of the draught of W. Palfrey, pay-master general, for that sum, in favor of the said Hughes, on the president, dated at camp, the 12th instant, the said pay-master general to be accountable :

That a warrant issue on Thomas Smith, esq. commissioner of the continental loan-office in the state of Pennsylvania, in favor of brigadier David Forman, for 10,000 dollars, for which he is to be accountable, and that the deputy commissary-general of purchases in the middle district be furnished with a copy of this order, and directed forthwith to settle the accounts of brigadier Forman for provisions supplied by his order to the troops lately stationed at New-Jersey, charging to him the amount of this grant, and reporting to the board of treasury the state of his accounts.

The committee on the treasury farther reported,

That a warrant should issue on Joseph Borden, esq. commissioner of the continental loan-office in the state of New-Jersey, in favor of major-general Mifflin, for 80,000 dollars, for the use of the quarter-master general's department : On the question put, the states were equally divided.

THREE O'CLOCK, P. M.

A motion was made to re-consider the report from the board of treasury for issuing a warrant on Joseph Borden, esq. in favor of general Mifflin, for 80,000 dollars, for the use of the quarter-master general's department : Question put, passed in the negative.

A letter, of the 12th, from brigadier Hand, at Fort-Pitt, to the board of war, was laid before Congress and read ; Whereupon,

*Resolved*, That brigadier Hand transmit to the Orkansas, so much of the provisions which were demanded of him by capt. James Willing, of the armed boat Rattle-Trap, as he can spare, and judges necessary and proper for the purpose.

*Ordered*, That the letter be returned to the board of war, to do therein what they judge proper and necessary.

The committee to whom was referred the letter of the 6th, from the committee at camp, relative to the prisoners of the convention, now at Bos-

Congress took into consideration the report of the committee on the state of Georgia; after debate,

*Ordered*, That the farther consideration thereof be postponed.  
Adjourned to ten o'clock to-morrow.

WEDNESDAY, February 18, 1778.

A letter of the 18th, and one of the 19th of January, from gen. ~~Smith~~ at Boston, with a letter to him from gen. Burgoyne, and his answer; minister of the 2d inst. from brigadiers Poor and Patterson, were read.

A letter, of the 17th, from the board of war, was read; Whereupon,

*Resolved*, That it be recommended to the governor and council of the state of Maryland, to embody a sufficient number of militia for guarding the prisoners to be stationed at Fort-Frederick, in that state; and that they do be requested immediately to appoint a commissary to purchase and supply the said militia with provisions during their service at that post:

That Mons. de Pontiere be appointed a captain of horse by brevet, and that Mons. de Ponceaux, secretary to the baron Steuben, have the same rank of a captain in the army of the United States:

That Congress approve the proceedings of the board of war with respect to baron Steuben.

Another letter from the board of war was read, enclosing a letter from Thomas Wharton, esq. president of the state of Pennsylvania, and some other papers:

*Ordered*, That the same be referred to Mr. McKean, and the delegates from Pennsylvania.

*Resolved*, That gov. Clinton be authorized and requested to suspend the business of obstructing, fortifying, and securing the passes of Hudson's river, agreeable to the resolutions of the 5th of November last, and supply the militia of the state of New-York, and to call upon the states of Massachusetts-Bay and Connecticut, for such parts of their militia as he may think necessary, and those states can spare, for executing this important business.

That the commanding officer at Peek's-Kill be ordered and directed to furnish gov. Clinton with money from the military chest, and to give him every assistance in his power in forwarding and perfecting the business committed to him:

That a warrant issue on the commissioner of the loan-office in the state of New-York, in favor of gov. Clinton, for 50,000 dollars, towards defraying the charge of the business intrusted to him.

*Resolved*, That the warrant of the 5d of February for 200,000 dollars in favor of the board of war, be paid to Joseph Nourse, pay-master of the board of war and ordnance, to be applied to the purpose of purchasing provisions for the use of the grand army.

The commissioners of claims report,

That they have examined the accounts of Mr. Thomas Butler, amounting to 6801 74.90 dollars, together with making in the whole, 7601 74.90; of Mease, esq. 800 dollars; of John Gi 28 24.90 dollars; and after deduction is a balance of 87 20.90 dollars due

To col. Michael Swoope, for his pay the 7th of February, 1778, a balance

*Ordered*, That the said balances

A letter, of the 18th, from general Mifflin, before Congress, and read:

*Ordered*, That the same, together with the master's department, be referred to  
Adjourned to ten o'clock to-morrow

*Resolved*, That the pay of the person who executes those offices in the hospital in the middle department, be augmented to three dollars a day.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of brigadier Weedon, in discharge of a bill drawn by William Palfrey, esq. pay-master general, in his favor, on the president of Congress, for the sum of 2500 dollars, which is to be charged to the pay-master general:

That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for the sum of 500,000 dollars, to be by him transmitted to William Palfrey, esq. pay-master general, who is to be accountable:

That a warrant issue on the treasurer for the sum of 40,000 dollars, in favor of Dr. W. Shippen, director-general of the military hospitals, for the use of the middle district; the said director-general to be accountable:

That a warrant issue on Thomas Smith, esq. commissioner of the continental loan-office in the state of Pennsylvania, for the sum of 35,000 dollars, in favor of the said director-general, for the use of the said district; the director-general to be accountable;

That a warrant issue on the treasurer in favor of the delegates of Georgia, for 500,000 dollars, advanced to that state for the sole purpose of calling in the currency of that state, which has been emitted for the support of the continental troops; this sum to include the 400,000 dollars granted for that purpose by the resolution of the 15th of August last.

*Resolved*, That the pay-master general be directed to consult with gen. Washington on the propriety of keeping a deputy-pay master at Baltimore, and if he shall judge such an officer unnecessary, to inform Mr. Jonathan Hudson, that the public service not requiring his farther assistance in that capacity, he is excused therefrom by Congress, and is ordered to adjust his accounts with the pay-master general as soon as may be.

The committee on the treasury report, that they have taken into consideration the application of baron de Holtzendorf; that by the agreement made at Paris between Mr. Deane and the baron, it does not appear that the baron is entitled to any sum for the defraying his expenses from and to Europe, or to any compensation on account of the loss of his equipage; that the baron, as being one of the officers accompanying major-general de Kalb to America, does not appear well founded, it being evident, from the resolves of Congress of September the 8th, 1777, that those gentlemen were not employed in the service of the United States, but, in consideration of their zeal for that purpose, it was judged expedient to pay their expenses; neither does it appear, on any other principles of justice, that he is entitled to the claims aforesaid;" Whereupon,

*Resolved*, That the sum of 1000 dollars, or such part thereof as he may require, be advanced to the baron de Holtzendorf, to discharge the debts he may have contracted, and to enable him to return to Paris, he giving bills of exchange for the amount of any balance that may be due to the United States, in the same manner as brigadier de Roche Fermoy.

*Resolved*, That general Washington be directed to order a major-general to take the command of the troops in the state of Rhode-Island, in the place of major-general Spencer, resigned.

A letter from general Washington to Robert L. Hooper, Nathaniel Falconer, and Jonathan Mifflin, was laid before Congress; also, an extract of a letter from Mr. Duer to Mr. F. L. Lee.

*Ordered*, That copies of the same be sent by express to the executive council of Pennsylvania, and that it be most earnestly recommended to them to exert the whole powers of the state in providing and forwarding to the army, by every possible means, supplies of provisions, especially of the meat kind, and also forage, with the utmost despatch.

ton, brought in a report, which was taken into consideration; Whereupon Congress came to the following resolutions:

Whereas Congress, for reasons set forth in their resolutions of the 8th day of January last, have determined to detain lieut. gen. Burgoyne and his troops included in the convention of Saratoga, until the said convention shall be ratified by the court of Great-Britain; and it will not only be inconvenient for the said troops, but also very distressing to the inhabitants of the town of Cambridge, and parts adjacent, to have so large a body of men confined within such narrow limits, for so long a time as must necessarily elapse before the ratification of the said convention can be known; therefore,

*Resolved*, That the council of the state of Massachusetts-Bay be authorized and requested to remove, separate and place the said troops in such manner and in such parts of the said state as may be most convenient for their subsistence and security:

That general Heath be directed to carry into effect the orders of the council of the state of Massachusetts-Bay, for removing, securing and providing for the said troops.

*Resolved*, That it be recommended to the council of Massachusetts-Bay to order the continental barracks for the reception of prisoners in that city to be forthwith finished.

A letter, of the 14th, from the committee of Congress at camp, was read. Adjourned to ten o'clock to-morrow.

#### FRIDAY, February 20, 1778.

The committee of commerce laid before Congress sundry letters and papers respecting Mr. de Francy, which were read:

*Ordered*, That they be referred back to the said committee to report thereon, and that, for this special purpose, Mr. Gerry and Mr. Laurens be added to the said committee.

#### THREE O'CLOCK, P. M.

*Resolved*, That the president immediately send a letter by express to the committee at head-quarters, desiring them to send back by the same express a nomination of officers proper to fill the quarter-master's department agreeably to a request of Congress already transmitted to them.

Congress took into consideration the letters from the committee at camp and their plan for filling up the army, and, after debate thereon,

*Ordered*, That the same be referred to a committee of five: the members chosen, Mr. Roberdeau, Mr. Wolcott, Mr. Penn, Mr. Forbes and Mr. Smith. Adjourned to ten o'clock to-morrow.

#### SATURDAY, February 21, 1778.

It appearing, by intelligence this day received from camp, that serious consequences are likely to ensue from a longer delay of appointing proper persons to fill the several offices in the quarter-master general's department:

*Resolved*, That the committee of Congress at the camp, in conjunction with general Washington, be authorized forthwith to make the proper appointments for the quarter-master general's department:

A letter of the 21st, from Dr. W. Shippen, was read; Whereupon,

*Resolved*, That a surgeon-general be appointed for the hospital in the middle department, in the room of Dr. Brown, promoted; the ballots being taken, Dr. Charles M'Knight was elected.

Whereas, the duty of the person who executes the office of secretary and pay-master of the hospital in the middle department, is important and difficult:



That the board of treasury be empowered to increase the pay of bills of credit in such way as they judge proper, provided the sum for signing and numbering 1000 bills does not exceed

intended to revise the system of the commissary of purchase, which was read :

consideration thereof be postponed till to-morrow.

Gov. J. Clinton, of New-York, at Poughkeepsie,

to the board of war.

now.

February 24, 1778.

Administrator of Samuel Allen, was read, may be directed to settle his accounts and lost in the public service :

the committee on the system of progress being made therein, thereof be postponed to Thursday.

Major Parsons, relative to the treatment of the army, was read :

referred to the committee appointed to enquire into the army, with regard to the prisoners who have fallen into

at ten o'clock to-morrow.

WEDNESDAY, February 25, 1778.

The Delegates of Pennsylvania laid before Congress a letter of the 23d, from the council of that state, requesting to be furnished with the following papers, viz.

The instructions of the board of war to their superintendents of provisions ; the plan laid down by the superintendents for the purchase, &c. of provisions ; the instructions for the millers, dated the 11th of January last ; a letter from the superintendents to the board of war, dated the 11th inst. a letter dated the 12th inst. signed Robert Lettis Hooper, deputy quarter-master general, to the purchasers under the superintendents :

*Ordered*, That the board of war furnish the delegates of Pennsylvania with copies of the above papers, or such of them as are in the office of the board of war and ordnance.

A letter, of the 24th of January, from Samuel A. Otis, at Boston, was read.

The committee to whom were referred the letter of the 8th, from general Washington, and sundry other letters which passed between him and gen. Howe, relative to the exchange of prisoners and other matters, brought in a report, which was read.

The committee to whom were referred the letters and papers from the committee of Congress at camp, brought in a report, which was taken into consideration, and, after some time spent thereon,

*Ordered*, That the farther consideration thereof be postponed to the afternoon.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of captain Pasky, for 26,000 dollars, in discharge of a draught of William Palfrey, esq. paymaster general, for that sum, on the president of Congress, dated at camp, the 23d of February inst. in favor of col. E. Lutterloe, deputy quarter-mas-

**Resolved**, That the board of war immediately employ a suitable number of proper persons on the east side of Susquehanna, to purchase meat in forage for the army, and to forward the same to the camp with all possible expedition, having respect to the prices fixed by the laws of the state of Pennsylvania.

The marine committee, to whom was referred the complaint of the navy-board in the middle department, against captain Barry, report, as their opinion, "that captain Barry hath treated the said board, in the person of Mr. Hopkinson, one of that board, with indecency and disrespect, and that he ought, within 20 days after this resolve shall have been notified to him by the said board, to make such acknowledgment as shall be satisfactory to them."

**Resolved**, That Congress agree to the said report.

Adjourned to ten o'clock on Monday.

MONDAY, February 23, 1778.

A letter, of the 16th, from lieutenant-colonel Matthew Smith, of the 1st Pennsylvania regiment, was read, representing the declining state of his health, and, on that account, praying for leave to resign his commission:

**Resolved**, That leave be granted.

A letter, of the 22d, from brigadier Wilkinson, was read.

A letter, of the 18th, from Joseph Simons of Lancaster, was read:

**Ordered**, That it be referred to the executive council of Pennsylvania, to do thereon what they shall judge proper.

A letter, of the 9th, from Southy Simpson, of Accomac county, in Virginia, was read:

**Ordered**, That it be referred to the board of war.

A letter from B. Harrison, jun. deputy pay-master-general in Virginia, with his monthly account enclosed, was read:

**Ordered**, That the same be referred to the board of treasury.

A letter, of the 7th, from governor Caswell, was read, with papers enclosed, respecting captain Folger:

**Ordered**, That they be referred to the committee appointed to take the examination of captain Folger.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereupon

**Ordered**, That a warrant issue on the treasurer in favor of captain William Brown, in discharge of a bill drawn by William Palfrey, esq. pay-master general, on the president of Congress, dated the 20th instant, for \$74-90 dollars, the said pay-master general to be accountable:

That a warrant issue on the treasurer in favor of the committee general, for 100,000 dollars, to be by him transmitted to Henry Chapman, for the purpose of purchasing cattle in Connecticut:

That a warrant issue on the treasurer in favor of Dr. Jonathan Potts, deputy director-general of the middle department, for 100,000 dollars, for use of his department, and for which he is to be accountable.

A letter, of the 13th, from Sampson Matthews, was read, informing governor Henry, of Virginia, has appointed him and col Samuel McDowell commissioners to proceed to Fort-Pitt, in the stead of Samuel Washington and Gabriel Jones, esqrs. who have declined that business, and that they intend to set forward on their journey the 23d instant.

A letter, of the 19th, from general Washington, was read.

The committee of commerce laid before Congress a letter and a number of papers from R. Morris, which were read:

**Ordered**, That they be referred to the committee to whom the affairs of Mons. Francy were committed.

**Resolved,** That the board of treasury be empowered to increase the pay of the signers of bills of credit in such way as they judge proper, provided that the sum allowed for signing and numbering 1000 bills does not exceed 2 dollars.

The committee appointed to revise the system of the commissary of purchases, brought in a report, which was read :

**Ordered,** That the consideration thereof be postponed till to-morrow.

A letter, of the 3d, from gov. J. Clinton, of New-York, at Poughkeepsie, was read :

**Ordered,** That it be referred to the board of war.

Adjourned to ten o'clock to-morrow.

### TUESDAY, February 24, 1778.

A petition from James Wilson, administrator of Samuel Allen, was read, praying that the commissioners of claims may be directed to settle his accounts for a team of Samuel Allen employed and lost in the public service :

**Ordered,** That the prayer be granted.

Congress took into consideration the report of the committee on the system of the commissary of purchases, and some progress being made therein,

**Resolved,** That the farther consideration thereof be postponed to Thursday next.

A letter, of the 20th, from brigadier Parsons, relative to the treatment of Messrs. Vantassels, by the enemy, was read :

**Ordered,** That it be referred to the committee appointed to enquire into the conduct of the enemy, with regard to the prisoners who have fallen into their hands.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, February 25, 1778.

The delegates of Pennsylvania laid before Congress a letter of the 23d, from the council of that state, requesting to be furnished with the following papers, viz.

The instructions of the board of war to their superintendents of provisions ; the plan laid down by the superintendents for the purchase, &c. of provisions ; the instructions for the millers, dated the 11th of January last ; a letter from the superintendents to the board of war, dated the 11th inst. a letter dated the 12th inst. signed Robert Lettis Hooper, deputy quarter-master general, to the purchasers under the superintendents :

**Ordered,** That the board of war furnish the delegates of Pennsylvania with copies of the above papers, or such of them as are in the office of the board of war and ordnance.

A letter, of the 24th of January, from Samuel A. Otis, at Boston, was read.

The committee to whom were referred the letter of the 8th, from general Washington, and sundry other letters which passed between him and gen. Howe, relative to the exchange of prisoners and other matters, brought in a report, which was read.

The committee to whom were referred the letters and papers from the committee of Congress at camp, brought in a report, which was taken into consideration, and, after some time spent thereon,

**Ordered,** That the farther consideration thereof be postponed to the afternoon.

The committee on the treasury brought in a report ; Whereupon,

**Ordered,** That a warrant issue on the treasurer in favor of captain Pasky, for 26,000 dollars, in discharge of a draught of William Palfrey, esq. paymaster general, for that sum, on the president of Congress, dated at camp, the 23d of February inst. in favor of col. E. Lutterloe, deputy quarter-mas-

ter general, endorsed by him to the said capt. Pasky ; the pay-master general to be accountable :

The commissioners of claims at the treasury report,

That there is due to the administrators of Samuel Allen, deceased, for hire of his wagon and team from the 4th of September to the 4th of December, 1776, 92 days, at 2 2-3 dollars, 245 30-90 dollars ; and for the four horses, wagon, geers and cloth, which by certificate, appear to have been detained in the service after his decease, and never returned to his heirs, &c. appraised at 408 dollars, which last sum is to be charged to the account of the quarter-master general ; also for expenses incurred on York Island, as by account and certificate, 7 62-90 dollars, amounting in the whole to 661 2-90 dollars :

To John Campbell, the sum of 1243 50-90 dollars, for col. George Morgan's draught on the president of Congress, in favor of col. William Crawford, being for provisions stored at Fort-Pitt, which order or draught, is assigned over to the said Campbell ; the said col. G. Morgan to be accountable :

To Simon and Campbell, the sum of 302 dollars, for arms sold to col. William Crawford, for the use of the 13th Virginia regiment, as per col. Crawford's order on the board of treasury : the said colonel Crawford to be accountable :

*Ordered*, That the said accounts be paid.

### THREE O'CLOCK, P. M.

A letter of the 7th, and one of the 14th, from major-gen. Heath, at home were read, the former enclosing copies of sundry letters that passed between him and lieutenant-general Burgoyne, and a letter from lord Nairn and lieutenant-colonel Anstruther :

*Ordered*, That they be referred to a committee of three : the members chosen, Mr. Wolcott, Mr. Lovell, and Mr. Gerry.

Congress resumed the consideration of the report on the letters sent to the committee at camp ; and, after debate,

*Ordered*, That the farther consideration of the report be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

### THURSDAY, February 26, 1778.

*Resolved*, That it be an instruction to the captains and commanders of privateers, to annoy the enemy by all the means in their power, by land or water, taking care not to infringe or violate the laws of nations, or the law of neutrality.

A letter of the 11th, from lieutenant-general Burgoyne, directed to the hon. Henry Laurens, president of the Congress, with three papers enclosed, was read :

*Ordered*, That they be referred to a committee of five : the members chosen, Mr. Lovell, Mr. M'Kean, Mr. Smith, Mr. Lee, and Mr. Gerry.

Major-gen. Gates sent to Congress sundry letters, and among those of the 9th, from major-gen. Philips, which were read :

*Ordered*, That the last be referred to the foregoing committee.

Sundry letters to the board of war from the northern department were laid before Congress and read,

*Ordered*, That they be referred to a committee of three : the members chosen, Mr. Wolcott, Mr. Clark, and Mr. Lewis.

A letter, of the 25th, from the board of war, was read :

*Ordered*, That it be referred to the board of treasury.

Congress took into consideration the report of the committee on the letter of the 8th, from gen. Washington, and the letters which passed between

and gen. Howe, relative to the exchange of prisoners, and thereupon came to the following resolutions :

Whereas, it appears to Congress, by the copy of a letter from gen. Washington to gen. Howe, of the 10th of this month, that he has consented to the propositions of gen. Howe, to the following effect : " that an exchange of all prisoners now in our possession, officer for officer, soldier for soldier, and citizen for citizen, so far as number and rank will apply, be carried into execution as expeditiously as the nature of the case will admit, and without regard to any controverted point, which might prove an impediment to so desirable an end :"

And, whereas, by a resolution of Congress of the 19th of December last, a release of prisoners in the power of these states cannot take place before the account of all provisions, and other necessities, which have been supplied by the public to such prisoners, are liquidated and discharged :

And, whereas, it is the wish of Congress to accomplish the desirable purpose of exchanging the prisoners without unnecessary delay :

*Resolved*, That an express be sent to the several legislatures, or supreme executive authorities of the respective states, for such accounts of money, provisions, and other necessities, which they have supplied to prisoners taken by the United States since the commencement of the war, as have not been already transmitted to Congress ; that they be requested to make up the said accounts to the 1st day of March next, and transmit them as speedily as possible to the commissioners of claims at the board of treasury ; that the accounts of each state from New-Hampshire to Virginia, inclusive, be sent to the said commissioners on or before the 15th day of April next, and of the other states, on or before the 1st day of June next, and that the respective states sustain the losses which may arise from detaining such accounts longer than the time herein allowed them for rendering the same.

*Resolved*, That all officers in the departments of the quarter-master, paymaster, and clothier-general, and commissaries of provisions and prisoners, the commissioners of accounts, and other officers, who may have accounts or charges of money, provisions, or other necessities in their respective offices, for supplies furnished the said prisoners, be directed to send such accounts to the commissioners of claims at the board of treasury, on or before the 15th day of April next, and that they respectively sustain the losses that may arise from a neglect hereof :

That the commissioners of claims be directed to prepare the said accounts for adjustment without delay, and that no exchange of prisoners be made until the balance due thereon to the United States is discharged.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of the committee of commerce for 20,000 dollars, advanced upon their application, for the purpose of loading with rice the ship Flammand, ordered to South-Carolina ; the said committee to be accountable.

A petition from Archibald Steel, deputy quarter-master general for the troops at Fort-Pitt, was read :

*Ordered*, That it be referred to the committee of commerce.

Congress resumed the consideration of the report of the committee on the letters and papers from the committee of Congress at camp, and thereupon came to the following resolutions :

Whereas, the well being and safety of these states require that a powerful army be early brought into the field, effectually to oppose and defeat the public enemies thereof : and whereas by the actual invasion of some of the said states, and the local circumstances of others, it would be inexpedient



and unreasonable to draw forth from all of them their full proportion of continental battalions, according to the establishment heretofore settled or apportioned in Congress :

*Resolved*, That the several states hereafter named be required forthwith to fill up by draughts from their militia, or in any other way that shall be effectual, their respective battalions of continental troops, according to the following arrangement, viz.

New-Hampshire	- - -	3	Pennsylvania	- - -	10
Massachusetts-Bay	- - -	15	Delaware	- - -	1
Rhode-Island, &c.	- - -	1	Maryland	- - -	8 including
Connecticut	- - -	8	the German battalion.		
New-York	- - -	5	Virginia	- - -	15
New-Jersey	- - -	4	North-Carolina	- - -	9

That all persons draughted, shall serve in the continental battalions of their respective states for the space of nine months, from the time they shall respectively appear at the several places of rendezvous hereafter mentioned, unless sooner discharged :

That it be recommended to the several states to appoint officers to superintend the making and forwarding the said draughts, and to direct such superintendents to procure complete lists of the men draughted, with a description of their persons, their age, stature, the places of their abode, and the regiment and company from which they shall have been draughted, and to forward the same to the commissioners hereafter mentioned, who shall transmit an exact copy thereof to the commander in chief.

And to the end, the commissioners may be enabled the better to conduct their business, and the men draughted as aforesaid, may be sent to the said places of rendezvous with the greater safety and expedition :

*Resolved*, That it be recommended to the several states to appoint several militia officers, by whom any men shall have been draughted, to deliver to the said superintendents such descriptive lists of the men by them respectively draughted for the purpose aforesaid ; and further, to direct the said superintendents to make similar lists of the men by them, from time to time, sent to the places of rendezvous, and take receipts for such men upon the said lists from such officers as they shall appoint to conduct them to the aforesaid, and forward copies of such lists and receipts to the said commissioners :

That it be recommended to each of the said states to appoint one or more commissioners, to reside at the said places of rendezvous, for the purpose of receiving the draughts of their respective states, and delivering them over to the continental officers, who may be appointed by the commander in chief, there to receive them ; and further, to direct their respective commissioners to give receipts for such draughted men as shall be delivered to them, and make out such descriptive lists, as aforesaid, of the men by them, from time to time, delivered over to such continental officers, and take receipts from them, and transmit copies of such lists and receipts to the commander in chief :

That it be recommended to the several states to make provision for the draughted men upon their march to the said places of rendezvous, and that the states be allowed, for such subsistence, 1-24th part of a dollar per day for each man actually marching to the said places of rendezvous, and more.

*Resolved*, That all the draughts from the New-England states shall rendezvous at Fish-Kill, on Hudson's river ; those of New-York, at the state of Pennsylvania ; those of New-Jersey, Pennsylvania, Delaware and Maryland, at camp ; those of Virginia, at Alexandria and Shreveport, in the same state ; and those of North-Carolina, at Pittsbladen.

house and Petersburg, in Virginia ; unless otherwise directed by the commander in chief.

*Resolved*, That every person draughted as aforesaid, who shall supply himself with a good firelock and bayonet, a cartouch-box, haversack, or blanket, and shall, at the expiration of the term of his service, produce, to the proper pay-master, a certificate from his captain, or other commanding officer of his company, that he hath been constantly provided therewith, shall receive, for the use of his firelock, bayonet, and cartouch-box, two dollars, and for the use of his blanket, four dollars, and in a like proportion for any or either of them. And in case any of the said articles shall be lost or rendered useless in the service, without the negligence or fault of the proprietor, he shall be paid the value thereof.

*Resolved*, That all persons, in whatever way procured, for supplying the deficiencies in the continental battalions, unless inlisted for three years, or during the war, be considered as draughts; and that it be recommended to the several states to exert themselves to procure recruits for their respective continental battalions by inlistments for three years, or during the war, and that the draughts from the respective states be discharged in proportion as such recruits from the said states shall join the army.

And, whereas, experience hath proved that no confidence can be placed in prisoners of war or deserters from the enemy, who inlist into the continental army; but many losses and great mischiefs have frequently happened by them; therefore,

*Resolved*, That no prisoners of war or deserters from the enemy be inlisted, draughted, or returned to serve in the continental army.

*Ordered*, That the board instruct and direct the commissary-general of prisoners to appoint proper persons to examine all officers and any of the privates of the United States, that shall be hereafter exchanged, and take such of their depositions as may be necessary to ascertain the treatment our prisoners in the hands of the enemy have received during their captivity, and report the same to Congress.

A letter, of the 8th, from gen. Schuyler at Albany, and one, of the 20th, from the committee of Congress at camp, were read:

*Ordered*, That they be referred to the board of war.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, February 27, 1778.

A letter, of the 10th, from major-general Putnam, at West-Point, on Hudson's river, was read:

*Ordered*, That it be referred to the board of war.

Congress took into consideration a report from the board of war, and, thereupon, came to the following resolutions:

Whereas, a few deluded inhabitants of these states, prompted thereto by arts of the enemy, have associated together, for the purpose of seizing, and secretly conveying to places in possession of the British forces, such of the loyal citizens, officers, and soldiers of these states, as may fall into their power; and being assisted by parties furnished by the enemy, have, in several instances, carried their nefarious designs into execution; and such practices being contrary to their allegiance as subjects, and repugnant to the rules of war:

*Resolved*, That whatever inhabitant of these states shall kill or seize, or take any loyal citizen or citizens thereof, and convey him, her, or them, to any place within the power of the enemy, or shall enter into any combination for such purpose, or attempt to carry the same into execution, or hath assisted or shall assist therein; or shall, by giving intelligence, acting as a guide, or in any other manner whatever, aid the enemy in the perpetration

thereof, he shall suffer death by the judgment of a court-martial, as a traitor, assassin, and spy, if the offence be committed within 70 miles of the last quarters of the grand or other armies of these states, where a general or commands.

In passing the above resolution the yeas and nays were required, and as follows :

<i>N.-Hampshire</i> , Mr. Frost,	ay	} ay	<i>Delaware</i> ,	Mr. M'Kean,	ay	ay
<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} *	<i>Maryland</i> ,	Mr. Forbes,	ay	ay
	Lovell,	ay		Henry,	ay	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	ay	} no		Harvie,	ay	ay
	Wolcott	no	<i>N.-Carolina</i> ,	Mr. Penn,	ay	ay
	Huntington,	no	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	ay
<i>New-York</i> , Mr. Lewis,	ay	} *	<i>Georgia</i> ,	Mr. Langworthy,	ay	ay
<i>New-Jersey</i> , Mr. Clark,	no	} div.		Wood,	ay	ay
	Scudder,	ay				
<i>Pennsylvania</i> , Mr. Roberdeau,	ay					
	J. B. Smith,	no				
	James Smith,	ay				
	Clingan,	ay				

And, whereas, small parties of the enemy, encouraged by the compositions of some of the inhabitants of these states, may make excursions into the country for the purposes above mentioned, or others not warranted by the custom of war :

*Ordered*, That gen. Washington determine and publish, in such order as he shall deem proper, the number under which no party of the enemy shall be suffered to go beyond their lines, on pain, if taken, of being treated as marauders and punished with death.

*Resolved*, That a company of bakers be raised, to bake bread for the company to consist of

One director, at \$ 50 a month and 3 rations a day,	Twelve foremen, at \$30	1 a
Three sub-directors, at \$ 40 2 do.	Sixty bakers, \$24	1 a

That the company be inlisted for one year from the day of their enlistment, and be subject to the rules and articles of war.

That each foreman and baker have the same clothing as is allowed to commissioned officers in the continental service :

That the board of war be directed to appoint the director and sub-directors, and cause the company to be raised and set to work with the most despatch.

A letter, of the 4th, from governor Livingston, of New-Jersey, at Monmouth-Valley, was read.

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Andrew Steel, deputy quarter-master general, for 50,000 dollars, advanced him on the application of the board of war, for the use of the quarter-master general's department in the western-district ; major general Mifflin, quarter-master general, to be accountable.

A letter, of the 26th, from the board of war, was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Harvie, Mr. Gerry and Mr. Clark.

*Resolved*, That a committee of three be appointed to prepare a recommendation to the United States, to set apart a day of fasting, humiliation and prayer : the members chosen, Mr. Roberdeau, Mr. Huntington and Mr. Scudder.

## THREE O'CLOCK, P. M.

Congress resumed the consideration of the report of the committee on the system of the commissary of purchases, and some progress being made therein,

*Ordered*, That the farther consideration thereof be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

SATURDAY, *February 28*, 1778.

A letter, of the 27th, from R. R. Wilford, aid-de-camp to general Burgoyne, was read:

*Ordered*, That it be referred to the committee on the letter from lieutenant-general Burgoyne.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of the marine committee, for 5000 dollars, to be transmitted to Nathaniel Shaw, esq. continental agent in Connecticut:

That a warrant issue on John Lawrence, esq. commissioner of the continental loan-office in the state of Connecticut, in favor of the marine committee, for 35,000 dollars, to be transmitted to the said Nathaniel Shaw, esq. for which two sums the said marine committee are to be accountable.

A report from the board of war was read, and after debate,

*Ordered*, That it be referred to a committee of four: the members chosen, Mr. Harvie, Mr. Ellery, Mr. M'Kean and Mr. Clark.

*Ordered*, That the warrant on the commissioner of the loan-office in the state of New-Jersey, dated the 24th of January last, in favor of his excellency governor Livingston, for 10,000 dollars, be paid in preference to any other warrant previously issued on the said commissioner, and that the money be applied to the purpose of paying the premiums for apprehending deserters, as well as of recruiting the continental battalions raised by the said state:

*Ordered*, That a warrant issue on the treasurer in favor of the delegates of New-Jersey, for 5000 dollars, to be by them transmitted to governor Livingston, for the purposes mentioned in the preceding order; he to be accountable.

A petition and remonstrance from the justices and field officers of the county of Northampton, in Virginia, in behalf of themselves and the inhabitants of the said county, was read:

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of William Buchanan, esq. commissary general of purchases, for 12,000 dollars, for the use of the middle district of his department; he to be accountable:

That a warrant issue on the treasurer in favor of the delegates of the state of North-Carolina, for 3500 dollars, advanced upon the application of Mr. John Penn; the said state to be accountable.

Adjourned to ten o'clock on Monday.

MONDAY, *March 2*, 1778.

A letter, of February 28th, from Richard R. Wilford, aid-de-camp to lieutenant-general Burgoyne, was read, enclosing a list of officers who were exchanged by gen. Gates at Albany, and for whom gen. Burgoyne requires passports:

*Ordered*, That the letter and list be referred to the board of war.

A letter, of the 1st, from the said R. R. Wilford, enclosing one from lieutenant-general Burgoyne, was read, in which he observes, that "altho' he informed the president that the contents of the enclosed letter was depen-

dent upon the resolutions Congress might come to with regard to the letter delivered, yet as this only concerns lieutenant-general Burgoyne and his family, he conceives it may not be improper to lay it before Congress now, as the Congress will consider them, either together or separately, as they see just, and it will also serve to prevent any delays that may arise by his keeping this back, until their determination with respect to the order is known."

The letter enclosed from lieutenant-general Burgoyne, dated Cambridge, February 11th, 1778, was read :

*Ordered*, That it be referred to the committee on the former letter from general Burgoyne.

A letter, of February 25th, from the committee at camp, was read, proposing a new arrangement of the quarter-master general's department, and recommending persons to execute the business of the said department :

Congress taking into consideration the arrangement proposed by the committee,

*Resolved*, That the same be adopted, instead of that agreed to on the 5th day of February, and that there be one quarter-master-general, and two assistant-quarter-masters-general :

That these three be allowed, for their trouble and expense, one per cent. upon the monies issued in the department, to be divided as they shall see fit, and including an addition to the pay of the wagon-master-general and his deputy :

That major-general Green be appointed quarter-master-general :

That John Cox and Charles Pettit, esqrs. be appointed assistant quarter-masters general :

That the forage-masters, wagon-masters, and other officers in the department, be in the appointment of the quarter-master-general, who shall be responsible for their conduct.

*Resolved*, That major-general Green retain his rank of major-general in the army.

*Resolved*, That major-gen. Mifflin, late quarter-master-general, be directed to make out immediately and transmit to Congress and to major-general Green, quarter-master-general, a state of the preparations for the next campaign in the quarter-master-general's department, specifying what articles are in readiness, where deposited, where engaged and in what quantities ; and that he deliver or cause the same to be delivered to major-general Green, quarter-master-general, or his order.

Whereas, Dr. Parke and one Morton, both of the city of Philadelphia, the former son-in-law and the latter step-son of James Pemberton, have presumed to undertake a journey from Philadelphia to Winchester, without calling at head-quarters, or obtaining permission from any lawful authority :

*Resolved*, That the board of war be directed to cause the said Parke and Morton to be apprehended and confined in prison till farther orders.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of William Mountjoy, pay-master to the 3d Virginia regiment, for 6500 dollars, in discharge of the order of William Palfrey, esq. pay-master-general, on the present in favor of the said Mountjoy, for that sum, dated camp, the 23d of February, 1778 ; the said pay-master to be accountable.

In consequence of an adjustment by the commissioners of claims and auditor-general reports,

That there is due to col. Kermovan, for 1308 rations, the sum of \$1290 dollars :

*Ordered*, That the said account be paid.

*Resolved*, That major-general Gates be requested to lodge among the members of Congress, in the secretary's office, the original letter of general Burgoyne.



goyné to him, dated "Public house, at Cambridge, November 14th, 1777."

The board of war, to whom the petition and remonstrance from the justices and field officers of the county of Northampton, in Virginia, in behalf of themselves and the inhabitants of the said county, was referred, report,

"That the circumstances attending the counties of Accomac and Northampton, in the state of Virginia, are such as render them peculiarly subject to the depredations of the enemy, and that there being also therein a large quantity of continental property, imported from foreign parts, and no guards regularly established for the protection thereof until removal, it is expedient, that the men raised by draught or otherwise, in the said counties, as part of the Virginia quota of troops, be ordered to remain in the said counties, subject to the order of governor Henry and the council of Virginia, who are requested to embody them under proper officers who will attend to their government and discipline, and employ them in protecting the property of the United States, or in other military services until the farther order of Congress or the board of war; and that the memorial of sundry inhabitants of the said counties, on the subject of these draughts, be sent to governor Henry, to be laid before the assembly of that state for their consideration, and that they be requested to take measures for the safe-guard and protection of the said counties in case the said draughts shall be ordered to join the army."

*Resolved*, That Congress agree to the said report.

The committee to whom were referred the letters from general Heath, brought in a report, which was read; Whereupon,

*Resolved*, That the president write to general Heath, and inform him that it was by no means the intention of Congress that general Burgoyne should be prevented from communicating to lord Howe, or the commanding officer of the British ships in the harbour of Newport, the intelligence of the act of Congress detaining the troops of the convention of Saratoga, until it shall be ratified by the court of Great-Britain:

That general Heath be directed to permit lieutenant-colonel Anstruther, of the 62d British regiment, to go on his parole to Rhode-Island, in order to negotiate an exchange for himself; provided, that if colonel Ethan Allen shall not have been exchanged for lieutenant-colonel Campbell, no exchange but colonel Ethan Allen shall be accepted for colonel Anstruther.

Whereas, it is essential to the operations of the army during the next campaign, that the most vigorous measures should forthwith be adopted for the forming a body of horse, upon such principles as are most likely to advance the public interest and the honor of the officers and men who compose the same; and whereas, in times of public danger, when the lives, liberties, and property of a free people are threatened by a foreign and barbarous enemy, it is the duty of those, who enjoy in a peculiar degree the gifts of fortune, and of a cultivated understanding, to stand forth in a disinterested manner in defence of their country, and by a laudable example to rouse and animate their countrymen to deeds worthy of their brave ancestors, and of the sacred cause of freedom:

*Resolved*, That it be earnestly recommended to the young gentlemen of property and spirit, in the states of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina, forthwith to constitute, within their respective states, a troop or troops of light-cavalry, to serve at their own expense (except in the article of provisions for themselves and forage for their horses,) until the 31st day of December next:

That each troop, so to be raised, consist of not less than 20, nor more than 60 rank and file; that they have a right to choose their own officers, who shall receive continental commissions; and that they rendezvous at the main army on the first day of May next, or at an earlier period if possible:

That, in order to excite a proper spirit of emulation in these troops, and to give them an opportunity of appropriating that fame which their respective merits may entitle them to, during the campaign, each troop shall bear the name of the state in which it is raised :

That these troops, when raised, shall not serve as expresses, except in time of action, nor as escorts to the persons of any general, except that of the commander of the army with whom they serve, unless with their own choice :

That every horse which shall be killed, and every horse and all armed accoutrements, which shall be taken by the enemy in action, shall be paid for by the United States ; the value to be ascertained under the direction of the commander in chief ; and all booty taken from the enemy shall belong to the troop by whom it shall be taken.

*Resolved*, That it be recommended to the governments of the respective states to countenance and encourage this design ; and that the board of war transmit to them forthwith, copies of the foregoing resolutions, together with a descriptive list of the accoutrements necessary for man and horse.

The committee to whom the letter from lieutenant-general Burgoyne to the president of Congress, dated the 11th of February, with the papers enclosed, was referred, report,

“ That they have carefully perused and duly considered the letter and papers, and are of opinion that nothing therein contained, is sufficient to induce Congress to recede from their resolves of the 8th day of January last, respecting the convention of Saratoga : ”

*Resolved*, That Congress agree to the said report.

*Ordered*, That a warrant issue on the treasurer in favor of Mr. Joseph Nourse, pay-master to the board of war and ordnance, for 500,000 dollars, to be by him transmitted to Jonathan Trumbull, jun. deputy pay-master general, for the use of his department, he to be accountable.

*Ordered*, That the letters and papers respecting the northern department be referred back to the board of war, who are directed to order such regulations of the troops there as they judge most effectual to secure the important passes on Hudson's river, and the posts and countries to the northward.

Adjourned to ten o'clock to-morrow.

## TUESDAY, March 3, 1778.

*Resolved*, That a member from Connecticut be added to the marine committee : the member chosen, Mr. Huntington.

A letter from Dr. R. Harris to William Buchanan, esq. respecting it was laid before Congress and read :

*Ordered*, That it be referred to the board of war.

The committee to whom was referred the letter, of the 11th of February, from lieutenant-general Burgoyne, marked number 2, with a paper enclosed, brought in a report ; Whereupon,

*Resolved*, That lieutenant-general Burgoyne, on account of his ill health, have leave to embark for England by Rhode-Island, or any more expeditious route, with the officers of his family and his servants ; that General Heath furnish the necessary passports, accepting a parole from lieutenant-general Burgoyne, lieutenant-col. Kingston, and Dr. Wood, “ that should the embarkation of the troops of the convention of Saratoga be by any means prolonged beyond the time apprehended, those officers will return to Canada, upon demand and due notice given, and will re-deliver themselves to the power of Congress, unless regularly exchanged. ”

*Resolved*, That captain Willoe, of the 8th regiment, be furnished with a passport to return to Canada, by way of Halifax, in Nova-Scotia, under the restriction of the parole given by the Canadian troops in the convention of Saratoga, till he shall be regularly exchanged.

**Resolved**, That it is not expedient to grant the passports requested by gen. Burgoyne, for capt. Vigors, of the 29th regiment, lieut. Wheat of the 20th, or lieut. Bibby, of the 24th.

The committee also report, upon the letter from lieut. Wilford, aid-de-camp to gen. Burgoyne, which was referred to them, "that lieut. Wilford be permitted to deliver to the board of war duplicates of the papers by him presented to Congress, and that the board be directed to forward them to gen. Washington, to be transmitted by a flag to gen. Howe, without delay, but that lieutenant Wilford be not permitted personally to convey the duplicates either to gen. Washington or gen. Howe :"

**Resolved**, That Congress agree to the said report.

Mr. Harvie laid before Congress an extract of a letter from one of the committee at camp, relative to the purchase of provisions for the army :

**Ordered**, That it be referred to a committee of five : the members chosen, Mr. Dyer, Mr. J. B. Smith, Mr. M'Kean, Mr. Clark, and Mr. Harvie.

**Resolved**, That gen. Heath be directed to acquaint lord Napier, and any other officer who may apply for liberty to go within the enemy's posts, to negotiate a personal exchange, that Congress do not think it expedient to continue to grant passports for that purpose, as such exchange may be effected in the customary way.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *March 4*, 1778.

The commissioners of claims report,

That there is due to Moses Young, for his services as clerk in the secretary's office, from the 21st of July, 1777, to the 28th of August following, the sum of 52 dollars :

**Ordered**, That the said account be paid.

The committee on the treasury brought in a report ; Whereupon,

**Ordered**, That a warrant issue on the treasurer, in favor of Joseph Nourse, esq. pay-master to the board of war and ordnance, for 100,000 dollars, to be by him transmitted to Hugh Hughes, deputy quarter-master general at Peekskill, for the use of the quarter-master general's department ; major-general Mifflin, late quarter-master general, to be accountable :

**Ordered**, That a warrant issue on the treasurer in favor of Mr. J. Harvie, for 70 17-90 dollars, being the amount of his expenses as one of the committee from Congress to head-quarters ; and that another warrant issue in his favor for 1800 dollars advanced upon his application ; for which last sum the state of Virginia is to be accountable.

A letter, of February the 10th, from Jeremiah Wadsworth to gen. Mifflin, and one, of the 21st of February, from H. Hughes to A. Butler, were laid before Congress, and read :

**Ordered**, That they be referred to the board of treasury.

The board of war, to whom was referred the letter of the 20th of February, from the committee at camp, having made report, the same was taken into consideration ; Whereupon,

**Resolved**, That gen. Washington be empowered, if he think it prudent and proper, to employ in the service of the United States a body of Indians, not exceeding 400 ; and that it be left to him to pursue such measures as he judges best for procuring them, and to employ them, when procured, in such way as will annoy the enemy without suffering them to injure those who are friends to the cause of America.

The board of war having also reported on the letters and papers relative to the defence of the posts on Hudson's river, and the obstructions and works to be made and erected under the direction of governor Clinton ; it was thereupon,

*Resolved*, That the regulation of the wages of artificers not enlisted in the continental service, be left to governor Clinton's discretion:

That the eight iron field-cannon mounted, and the 28 not mounted, of the 66 pieces of different calibres, brought and bringing from Ticonderoga be subject to the orders of governor Clinton, for the defence of the passes on Hudson's river:

That the governor be assisted by the artificers in Albany and elsewhere on that river, in stocking the guns, and that he have authority to purchase all other necessary cannon for the defence of the passes on the river, wherever the same can be procured.

*Ordered*, That the clothier-general send an assistant clothier stationed with the continental army on Hudson's river, to superintend the procuring and distribution of clothing, and, in the mean time, that the commanding officer take such order as to the clothing the troops and artificers as exigencies require:

That the issuing commissary of the army stationed on or in the vicinity of Hudson's river, for the defence thereof, have authority, with the concurrence of the commanding officer, to draw for supplies of provisions on the purchasing commissaries in the eastern or northern districts, as exigencies and the position of the troops may, from time to time, require, taking special care not to interfere with any supplies coming forward to, or intended for a grand army.

*Resolved*, That the other parts of the report be referred back to the board of war, that they may give such orders thereon as they judge necessary and proper respecting the plans of the forts and batteries, and other matters incidental thereto; and also give such directions to colonel Radiesse as the nature of the service requires, agreeable to the rules established in the act.

A letter from A. Butler to the board of war, was laid before Congress and read.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, March 5, 1778.

*Resolved*, That the continental agents in North-Carolina and South-Carolina be respectively directed, on the application of col. Kermoyan, to allow him a free passage to France, in any continental vessel that may offer from either of the ports.

A letter, of the 4th, from the board of war, with one of the 27th of February from gov. Johnson, of Maryland, was read:

*Ordered*, That they be referred to a committee of three: the members chosen, Mr. Forbes, Mr. Harvie, and Mr. Gerry.

The committee on the treasury, to whom was referred a letter of the 25th of February, from the board of war and ordnance, relative to the salaries to clerks for the said office, report, "that considering the unavoidable expenses of the officers attending Congress, and that capable and confidential persons should be obtained for the purpose, they are of opinion, that \$100 dollars a month be allowed to the clerks in the secretary's office; the same to the first clerks in the offices of the board of war and ordnance, and the marine board; and that the same to the clerks in the said offices:

That Belcher P. Smith and Joel Smith receive the pay of 75 dollars from the treasury.

*Resolved*, That Congress agree to the report of the committee on the treasury.

*Resolved*, That two millions of dollars be issued by the board of treasury, and on the 1st of March next.

That the bills shall, excepting as the emission directed on the 1st of March next.

last number of each respective denomination of that emission progressively, and consist of the following denominations, viz.

30,768 of 3 dollars each,	92,034	30,770 of 8 dollars each,	246,160
30,768 of 4 do	123,072	30,770 of 2 do	61,540
30,768 of 5 do	153,840	30,770 of 30 do	923,100
30,768 of 6 do	184,608		
30,768 of 7 do	215,376		<u>2,000,000</u>

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers, and printers of the emission directed on the 10th of May last, shall extend to the said two millions now to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

*Ordered*, That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 50,000 dollars, to be by him transmitted to Hugh Hughes, deputy quarter-master general at Fish-Kill, for the use of the quarter-master general's department; major-general Mifflin, late quarter-master general, to be accountable:

That a warrant issue on the treasurer in favor of William Palfrey, esq. pay-master general, for 149,501 30-90 dollars, for the use of his department; he to be accountable:

That a warrant issue on the treasurer in favor of the delegates of South-Carolina, for 20,246 dollars, advanced upon the application of the hon. Henry Laurens, to discharge two bills drawn by his excellency John Rutledge, president of South-Carolina; the said state to be accountable:

That a warrant issue on John Lawrence, esq. commissioner of the continental loan-office in the state of Connecticut, for 75,000 dollars, in favor of Jeremiah Wadsworth, deputy quarter-master general, for the use of the quarter-master general's department; major-general Mifflin, late quarter-master general, to be accountable:

That a warrant issue on the treasurer in favor of the delegates of the state of Maryland, for 10,000 dollars, to be transmitted to his excellency the governor and executive council of the said state, for the purpose of paying the bounty of troops to be raised in that state for continental service, and for paying the premiums for taking up deserters from the army; the said governor and council to be accountable.

The committee to whom were referred sundry letters received by the committee of commerce, brought in a report, which was read:

*Ordered*, That the consideration thereof be postponed till Monday next.

*Resolved*, That the marine committee be instructed and directed, to revise the commission and instructions heretofore ordered to be given to the commanders of privateers and letters of marque and reprisals, and the resolutions heretofore passed, relative to captures by sea, and report such a form of a commission, and such instructions, as they judge proper and suitable to our present circumstances.

A letter, of February the 27th, from gen. Washington, and an extract of a letter of the 13th of the same month, from gen. Putnam at West-Point, were read.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, *March* 6, 1778.

*Ordered*, That so much of gen. Washington's letter of February the 27th, as relates to the court-martial on the officers in the northern department, be referred to a committee of four: the members chosen, Mr. Ellery, Mr. James Smith, Mr. Dyer and Mr. Lovell:

That such parts of the said letter as relate to the 13th Virginia regiment, and the ordering col. Harrison's regiment of artillery to camp, be referred to the board of war.



A letter, of the 3d, from James Wilkinson, was read, setting forth, that he is "informed the mark of distinction conferred on him has occasioned a dissatisfaction in the army;" that "to obviate any embarrassment which may result from this disposition, by the consequent resignation of officers of merit, he begs leave to relinquish his brevet of brigadier, wishing to hold no commission unless he can wear it to the honour and advantage of his country;" and that "this conduct, however repugnant to fashionable ambition, he finds consistent with those principles on which he early drew his sword in the present contest:"

*Resolved*, That his resignation be accepted.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of col. William Buchanan, commissary general of purchases, for 26,000 dollars, for the use of his department; he to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Mr. Thomas Paine, for his services as secretary to the committee for foreign affairs, from the 17th of April, 1777, to the 17th of February 1778, 10 months, at 70 dollars per month, 700 dollars:

*Ordered*, That the said account be paid.

A letter, of the 2d, from the committee at camp, was read:

*Ordered*, That it be referred to the board of war.

#### FOUR O'CLOCK, P. M.

A letter, of the 1st, from the committee at camp, was read:

*Ordered*, That it be referred to the board of war.

A memorial from Thomas Leaming, of Cape-May, New-Jersey, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 3d, from the committee at camp, enclosing a plan for the establishment of a corps of engineers, and one, of the 19th of February, from general Heath, at Boston, were read.

A memorial from Robert Morris, in behalf of the owners of the privateer Phoenix, relative to a Portuguese vessel captured by the said privateer, was read:

*Ordered*, That it be referred to a committee of five: the members chosen, Mr. Lovell, Mr. Clark, Mr. Ellery, Mr. Huntington and Mr. Forbes.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, March 7, 1778.

A letter, of the 16th of January last, from col. W. Cook, of the 12th Pennsylvania regiment, was read, praying for leave to resign his commission:

*Resolved*, That his resignation be accepted.

The board of war laid before Congress the following instructions to colonel Nathaniel Gist:

"SIR: You, being designated by his excellency gen. Washington, to go with a talk to the Indian nations, on the borders of Virginia and the Carolinas, with a view to secure them in the interest of these states, are hereby authorized and empowered to proceed therewith, and to engage in the service of these states, for the next campaign, any number of Indians, not exceeding 200, also 50 of the inhabitants of the counties bordering on the Indian settlements, to serve with them, under officers whom they shall choose with your approbation; selecting for this service, as far as possible, such men as understand the Indian languages: but besides these, you are to engage so many interpreters as you shall judge necessary, not exceeding one to every 50 Indians; these interpreters should be men proper to go with the Indians upon any military services in which they shall be employed; and engaged on

the best terms in your power, to serve as long as the Indians remain in service. As an encouragement to the inhabitants to enlist, and to enable them to equip themselves for the campaign, you are to give each non-commissioned officer and soldier, a bounty of 20 dollars: they are to be enlisted to serve for six months after their arrival in camp; and during their time of service, which is to commence five days before their march from home, the officers and soldiers shall receive the same pay and rations as officers of the like ranks and soldiers in the continental army. And you are authorized to engage the Indians, who shall enter into the service of these states, a proper supply of provisions, and such allowances, in goods and necessaries, as shall be in the power of the states to furnish, and their bravery and services shall merit.

“To enable you to conduct this business with more despatch and advantage, and in order to supply the Indians and others whom you shall engage, with provisions and other necessaries, you are to get an assistant on the best terms you can. That you may accomplish this business with the greater ease and certainty, the agents from the different states, residing in the Indian countries for the managing of Indian affairs, are desired and directed to give you all possible assistance.

“In order to fulfil your promises to, and satisfy the reasonable expectations of the 17 Indians employed last summer on the eastern-shore of Maryland, you are hereby empowered to purchase and deliver to each of them, such articles of clothing, &c. as you shall judge indispensably necessary.

“You will receive herewith 1000 dollars, for defraying the expenses which you shall necessarily incur in the prosecution of the business above committed to you. You are to keep an account of your expenditures of money, and as far as may be, get proper vouchers for the same.”

*Resolved*, That Congress agree to the said instructions.

The committee appointed to prepare a recommendation to the several states, for setting apart a day of fasting, humiliation, and prayer, brought in the same; which was read and agreed to as follows:

WHEREAS, Almighty God, in the righteous dispensation of his providence, hath permitted the continuation of a cruel and desolating war in our land; and it being at all times the duty of a people to acknowledge God in all his ways, and more especially to humble themselves before him when evident tokens of his displeasure are manifested; to acknowledge his righteous government; confess, and forsake their evil ways; and implore his mercy:

*Resolved*, That it be recommended to the United States of America to set apart Wednesday, the 22d day of April next, to be observed as a day of fasting, humiliation, and prayer; that at one time, and with one voice, the inhabitants may acknowledge the righteous dispensations of Divine Providence, and confess their iniquities and transgressions, for which the land mourneth; that they may implore the mercy and forgiveness of God; and beseech him that vice, prophaneness, extortion, and every evil, may be done away; and that we may be a reformed and happy people; that they may unite in humble and earnest supplication, that it may please Almighty God, to guard and defend us against our enemies, and give vigor and success to our military operations by sea and land; that it may please him to bless the rulers and people, strengthen and perpetuate our union, and, in his own good time, establish us in the peaceable enjoyment of our rights and liberties; that it may please him to bless our schools and seminaries of learning, and make them nurseries of true piety, virtue and useful knowledge; that it may please him to cause the earth to yield its increase, and to crown the year with his goodness.

And it is recommended to the inhabitants of the United States to abstain, on that day, from labour and recreations.

*Resolved*, That the commander in chief, or commander of a department shall have full power and authority to suspend or limit the power of granting furloughs or leave of absence, and to reserve it wholly to himself, or impart it to such officer or officers, under him, as he thinks fit, according as he shall judge the good of the service requires; and that no officer, under color or pretence of authority, to him granted, by the 2d article of the 4th section, or any other article, in the rules and articles of war, presume to grant any furlough, or leave of absence, contrary to the orders of the commander in chief, or commander of a department, on pain of being punished for disobedience.

The medical committee report, "that they have carefully examined and considered the several allegations and testimonies for, and against, Dr. William Rickman, deputy director-general in the southern department: notwithstanding, it appears the North-Carolina and Virginia troops, recruited by the said Dr. Rickman at Alexandria, suffered, in general, more the course of the disease than is usual, and that a number of them died; yet, as the committee are convinced that it was impracticable for the doctor to obtain, in season, a variety of articles for their due accommodation in the hospitals, as many of them were badly clothed, and all had, immediately before the operation, undergone a long and fatiguing march at a season of the year when putrid diseases generally prevail most; as from a regular report it appears that most of those who were lost, died of a putrid fever; as the director really had not sufficient assistance, and lastly, as one of the assistants, of the name of Parker, who was employed from the necessity of the case, appears to have greatly abused the confidence and trust reposed in him by the director; whence a great part of the evils complained of by the patients may have arisen; the committee are of opinion, that Dr. Rickman ought to be acquitted of the charges exhibited against him; that the resolution of the 20th day of December last, for his suspension, be repealed, and that Dr. Rickman be directed to repair immediately to his department, and resume the exercise of his duty there:"

*Resolved*, That Congress agree to the report of the committee.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Dr. William Rickman, for 140 dollars, in discharge of gov. Caswell's draught on the treasurer, dated North-Carolina, June the 11th, 1777, in favor of Arell, Cooper & Arell, for that sum, it being for the hire of horses, carriages, and other necessaries furnished to col. d'Erford and his party on their journey from that state to Philadelphia; the said col. d'Erford to be accountable:

That a warrant issue on the treasurer in favor of the president, Henry Laurens, esq. for 2147 60-90 dollars, being the balance of his account of money advanced to a number of expresses, and a further sum of 2000 dollars advanced for the pay of expresses and other contingent expenses; for which sum he is to be accountable.

The board of treasury report, "that they have considered the memorial of Thomas Leaming referred to them, and are of opinion, that the said memorial be referred to his excellency the governor and supreme executive council of the state of New-Jersey, and that they be requested to ascertain the quantity of salt taken by the assistant commissary of the United States, or lost in consequence of the seizure, and the sum that ought to be allowed for the same; and that E. Blaine, esq. deputy-commissary general of purchases, be directed to pay Mr. Leaming the amount of the salt, upon his producing a certificate from the governor and council aforesaid, specifying the sum to be paid:"

*Resolved*, That Congress agree to the report of the committee.

The president laid before Congress sundry bills of exchange, drawn by

late William Kennon, on John Hancock, esq. president of Congress, and moved that an order pass for the payment of the same :

*Resolved*, That the consideration thereof be postponed to Wednesday next, and that the board of treasury report thereon.

Adjourned to ten o'clock on Monday.

MONDAY, *March* 9, 1778.

A letter, of the 3d, from the council of Pennsylvania, was read :

*Ordered*, That it be referred to the board of war.

A letter, of February 20th, from brigadier Parsons, at West-Point, with the proceedings of a court-martial on the trial of Thomas Doyle, was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Lee, Mr. Clark and Mr. James Smith.

A letter of February 4th, from the board of war, at Boston, was read :

*Ordered*, That it be referred to the committee on gov. Johnson's letter.

A letter, of the 1st, from Jonathan Trumbull, jun. esq. pay-master of the northern department, with an estimate of cash wanted for that department, was read :

*Ordered*, That it be referred to the board of treasury.

A letter, of February 24th, from colonel W. Aylett, and one, of February 28th, from colonel Champion, both directed to W. Buchanan, esq. commissary-general of purchases, were laid before Congress, and read :

*Ordered*, That the letter from colonel Aylett be referred to the board of treasury ; and that the letter from colonel Champion be referred to a committee of three : the members chosen, Mr. Wolcott, Mr. James Smith and Mr. Harvie.

A letter, from John Lawrence, esq. judge-advocate general, dated camp at White-Marsh, November 18th, 1777, and directed to James Duane, esq. was laid before Congress, and read :

*Ordered*, That it be referred to the board of treasury.

A letter, of this day, from Paul Turquand, was read :

*Ordered*, That it be referred to the board of treasury.

FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 30,603 dollars, to be by him transmitted to his excellency the governor and council of the state of Virginia, to reimburse them that sum advanced to Alexander Rose, esq. agreeably to the request of the board of treasury, by a letter of the 24th of January last ; the said governor and council to be accountable :

That a warrant issue on the treasurer in favor of lieutenant Thomas Hunt, for 4423 3-90 dollars, it being in discharge of a bill drawn by W. Palfrey, esq. pay-master general, dated camp, 4th instant, on the president of Congress, for that sum, in favor of captain Peter Dolliver, for the use of colonel Jackson's regiment ; the said pay-master general to be accountable :

That a warrant issue on the treasurer in favor of Ananias Hudson, for 625 dollars, in discharge of John Ashe's three draughts on the treasurer, dated North-Carolina, the 10th of May last ; one in favor of captain Benjamin Stedman, for 250 dollars, one in favor of ensign John Williams, for 250 dollars, and the other in favor of Jahleel Smith, for 125 dollars ; the state of North-Carolina to be accountable.

The commissioners of claims report, that there is due to John Benezet, 1356 dollars, for his salary as a commissioner of accounts to the 8th instant, included ;

*Ordered*, That the said account be paid.

A letter, of the 2d, from Matthew Irwin, was read :

*Ordered*, That it be referred to the board of treasury.

A letter, of the 2d, from captain W. Nicholas, was read, praying for leave to resign his commission ; also a letter of the 9th, from colonel Hartley, respecting the filling up his regiment, and one from Dr. Ammi Balam Cutter to Mr. Frost, praying for leave to resign, were read :

*Ordered*, That Dr. Cutter have leave to resign ; that the letter from cap. Nichols be referred to the board of war ; and the letter from colonel Hartley to the delegates of Pennsylvania.

*Resolved*, That the committee of foreign affairs be directed to make a reasonable allowance to baron de Holtzendorf for his expenses to France.

The committee to whom was referred the letter from colonel Champce brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed.

Congress resumed the consideration of the report of the committee on the system of the commissary, and some progress being made therein,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

## TUESDAY, *March* 10, 1778.

A letter, of this day, from John Benezet, was read, praying for leave to resign his office of commissioner of claims :

*Ordered*, That it be referred to the board of treasury.

A letter of the 7th, from the executive council of Pennsylvania, was read representing that " the affairs of the commonwealth of Pennsylvania are so circumstanced as to admit the return of the prisoners sent from this state to Virginia, without danger to the commonwealth, or to the common cause of America ; that the dangerous example which their longer continuance in captivity may afford on future occasions, has already given uneasiness to some good friends to the independency of these states," and requesting that Congress have no other reasons for continuing them in Virginia than the council are acquainted with, that such orders may be given as shall put the people again under the direction and authority of the president and council of their state ;" and further desiring to be informed whether Congress has any objection to the hon. John Penn and Benjamin Chew, esqrs. being likewise again returned under the authority of the state :"

A letter, of the 5th, from gov. Livingston, with a report from him on receiving some officers in the department of the deputy quarter-master and commissary at Princeton, was read :

*Ordered*, That the same be referred to a committee of three : the members chosen, Mr. Clark, Mr. Ellery, and Mr. Gerry.

A letter, of the 6th, from W. Patterson, esq. attorney-general of New-Jersey, was read, representing that the duties of his office prevent his accepting the appointment which Congress have been pleased to confer on him :

*Ordered*, That it be referred to the committee on the extract of general Washington's letter, relative to the trial of the general officers in the northern department, at the time of the evacuation of Ticonderoga and the Independence.

A letter, of the 5th, from the committee at camp, and instructions from general Washington to col. Baylor, respecting the purchase of horses, arms, and accoutrements, in Virginia and North-Carolina, were read :

*Ordered*, That they be referred to the board of treasury.

A representation from the council and assembly of Pennsylvania was read.

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Clark, Mr. Lovell, and Mr. Gerry.

*Resolved*, That the committee have power to call for papers.



## FOUR o'clock, P. M.

The committee on the treasury, brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Mr. G. Frost, for 800 dollars, to be charged to the state of New-Hampshire :

That a warrant issue on the treasurer in favor of Benjamin Mifflin, for 25,000 dollars, to be transmitted to Matthew Irwin, agent for Joseph Trumbull, esq. late commissary-general, for the payment of arrears ; and for which the said Joseph Trumbull is to be accountable :

That a warrant issue on the treasurer in favor of William Buchanan, esq. commissary-general of purchases, for the sum of 26,000 dollars, for the use of his department, and for which he is to be accountable :

That a warrant issue on the commissioner of the loan-office in the state of New-Jersey, on the application of the marine committee, in favor of the navy board in the middle district, for 11,000 dollars ; to be charged to the marine committee.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to the following persons, to be paid to Peter Schultz, the sum of 548 85-90 dollars, for transporting the baggage of the York county militia, under the command of col. James Smith, in July, 1776, viz.

To Peter Schultz, for 27 days and ferriage, 109 37-90 dollars ; Francis Jones, 23 days, 92 dollars ; Gotlieb Reiger, 26 days, 104 dollars ; Michael Yesel, 27 days and ferriage, 110 27-90 dollars ; Philip Winder Meyer, 10 days and ferriage, 41 21-90 dollars ; Barnabas Hostapple, 23 days, 92 dollars ; making in all 548 85-90 dollars :

To colonel Nathaniel Gist, 290 47-90 dollars, a balance of his contingent account, which accrued on an embassy to the Cherokee Indians, by order of gen. Washington :

To Martin Brenise, for the amount of his account for attendance on Congress, from the 1st of December, 1777, to the 1st of March, 1778, at one-third of a dollar per day, and for ringing the bell, &c. two-thirds of a dollar per day, 153 30-90 dollars :

To the Rev. Mr. Lotbinier, a Canadian chaplain, for one month's pay, ending this day, and for 35 rations, 52 32-90 dollars :

*Ordered*, That the said accounts be paid.

Congress resumed the consideration of the report on the system of the commissary's department, and, after debate,

*Ordered*, That the last paragraph be re-committed.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *March* 11, 1778.

A letter from the board of war, enclosing one of the 6th, from gov. Johnson, of Maryland, and other papers, was read :

*Ordered*, That so much of the letter from the board of war as relates to money, be referred to the board of treasury :

That the letter from gov. Johnson be referred to the committee on the representation from the council and assembly of Pennsylvania.

The committee to whom was referred the letter from gov. Livingston, enclosing his report respecting the removal of several officers employed in the quarter-master's department at Princeton, in New-Jersey, pursuant to the recommendation of Congress, of the 9th of February last, brought in a report, which was read ; Whereupon,

*Resolved*, That Congress highly approve the proceedings of gov. Livingston, in removing the persons mentioned in his report of the 5th instant, and that the president transmit to him the thanks of Congress for his ready com-

pliance with their wishes, in undertaking a work so necessary to the interest of these United States, and for the assurance he gives of visiting, as soon as possible, the several parts of that state, more fully to carry into execution the aforesaid resolution :

*Resolved*, That whatever expense may be incurred by the executive authority of any state in executing the resolution of Congress of the 9th of February last, authorizing the executive powers of every state to arrest for misbehavior, or remove as supernumerary, any officers of the state, or any civil officers, &c. shall be duly paid upon the accounts being laid before the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer for 40,000 dollars, in favor of the president and council of Pennsylvania, 20,000 of which to be applied towards the recruiting service, and the remainder to pay off the militia ; the said sum to be charged to the state of Pennsylvania :

That a warrant issue on the treasurer in favor of col. Baylor, of the light dragoons, for 50,000 dollars, to be by him employed in the purchase of arms, and accoutrements, for the use of the army of the United States.

That another warrant issue in his favor on William Armistead, commissioner of the loan-office in the state of Virginia, for \$5,000 dollars for the same purpose :

That another warrant issue in his favor on James Green, jun. commissioner of the loan-office in the state of North-Carolina, for 15,000 dollars, to be employed in the same manner ; for all which sums, amounting to 100,000 dollars, col. Baylor is to be accountable :

That a warrant issue on the treasurer in favor of William Buchanan, commissary-general, for 200,000 dollars, to be by him transmitted to col. Henry Champion, for the purchase of live stock in the eastern department :

That a warrant issue on the treasurer, in favor of Joseph Noyes, quartermaster to the board of war and ordnance, for 50,000 dollars, to be transmitted to Isaac Forster, deputy director-general of the military hospital in the eastern department, at Danbury, in Connecticut, for which sum the said deputy director-general is to be accountable :

That a warrant issue on Joseph Borden, esq. commissioner of the land office in the state of New-Jersey, for 50,000 dollars, in favor of col. M<sup>r</sup>. Bird, on the application of gen. Mifflin, late quarter-master general, and to be accountable for the same.

The committee to whom was referred the letter relative to the purchase of provisions for the army, having brought in a report, the same was taken into consideration, and, after debate, the farther consideration thereof postponed to the afternoon.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the report on col. Champion's letter. Whereupon,

*Resolved*, That a copy of col. Champion's letter of February the 25th, col. Buchanan, be referred to the legislature of the state of Connecticut, that it be submitted to their wisdom to devise a remedy for the evils complained of or feared, in such a way, and by such means, as they shall judge most for the public interest.

*Ordered*, That Mr. Roberdeau be excused from attending at the board of treasury, and that Mr. Jonathan B. Smith be appointed a member of the board in his stead.

Adjourned to ten o'clock to-morrow.

**THURSDAY, March 12, 1778.**

A letter, of February the 13th, from Messrs. R. T. Paine, O. Ellsworth, and H. Marchant; one, of February the 20th, from Eleazer Wales; one, of the 2d instant, from Joseph Trumbull, and one from Jonathan Trumbull, jun. with a letter enclosed from N. Appleton, were read:

*Ordered*, That the letter from Jonathan Trumbull, jun. esq. with that enclosed, be referred to the board of treasury.

*Resolved*, That a committee of three be appointed to examine the correspondence between the commissary-general of purchases and his deputies, respecting the supply of provisions and the returns, &c. the members chosen, Mr. Clark, Mr. Harvie, and Mr. Forbes.

A report from the board of war was read; Whereupon,

*Resolved*, That captain William Nichols's resignation be accepted.

*Resolved*, That the report of the committee on the affairs of Roderique Hortales & Co. be re-committed.

The committee of commerce brought in a report:

*Ordered*, That it be referred to a committee of the whole house, and that to-morrow Congress be resolved into a committee to consider it.

*Resolved*, That a letter be addressed by the president to the respective states, informing them, that the multiplicity and importance of the business of Congress, during the war, will require the constant attention of at least three members from each state; that, from the want thereof, the health of members has been frequently impaired, and the public business greatly obstructed; and that Congress request their immediate attention to this as a matter of great moment.

The marine committee laid before Congress a copy of a proposed letter to capt. Barry, among other things empowering him to purchase, for the use of the continent, and to fit out a vessel which he has lately taken in Delaware-Bay:

*Resolved*, That Congress approve of the purchase being made, and that it be referred to the marine committee to give such directions as they judge proper respecting the naming, officering, and manning the said vessel when purchased, and the manner in which she is to be employed.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of col. William Buchanan, commissary-general of purchases, for 150,000 dollars, for the use of his department in the middle district; for which he is to be accountable.

**FOUR O'CLOCK, P. M.**

A letter, of the 4th, from George Read, esq. president of the state of Delaware, and one, of the 9th, from Cæsar Rodney, both directed to Mr. M'Kean, the delegate from that state, were laid before Congress and read:

*Ordered*, That the same be referred to the board of treasury.

A letter, of February the 19th, from Mr. Colt to Mr. Buchanan, was read:

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the report on the system of the commissary of purchases, and after debate,

*Ordered*, That the farther consideration thereof be postponed till to-morrow. Adjourned to ten o'clock to-morrow.

**FRIDAY, March 13, 1778.**

A letter, from col. Russel, of the 13th Virginia regiment, was read:

*Ordered*, That it be referred to the board of war.

A petition from the inhabitants of Westmoreland, was read:

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report ; Whereupon,  
*Ordered*, That a warrant issue on the treasurer for 25,000 dollars, to be paid to Peter Ozeas, for the use of the barrack-master general, and in which sum the said barrack-master general is to be accountable :

That a warrant issue on Thomas Smith, esq. commissioner of the land office, in the state of Pennsylvania, in favor of William Buchann, commissary of purchases, for 200,000 dollars ; and for which the said commissary-general is to be accountable.

The committee to whom was referred the trial and condemnation of Thomas Doyle, a soldier of col. S. B. Webb's battalion, for deserting to the enemy, in whose service he was made prisoner ; and the letter from Major S. Parsons, desiring to be informed whether deserters from the army are permitted to enlist in the service of these United States, and whether, if so, such are enlisted, a deserter of that character can be legally condemned and executed for desertion, report as their opinion, " that although it hath been commended to the officers of the army of these states to refrain from striking deserters from the enemy, yet such being enlisted and receiving pay, and pay, are in all respects subject to the articles of war, and liable to suffer death for desertion ; the rules and articles for the government of the troops raised or to be raised and kept in pay by and at the expense of the United States of America, making no distinction between the soldiers of these states and deserters from the enemy taken into the service."

*Resolved*, That Congress agree to the report of the committee.

Congress resumed the consideration of the report of the committee appointed to revise the system of the commissary's department : Whereupon,

*Resolved*, That a commissary-general of purchases be appointed with full powers to depute or remove any officer of his department :

That each assistant purchasing commissary shall receive the following allowances for purchasing provisions and other articles, viz.

Flour or meal, per cwt. 6-90ths of a dollar ; hard bread, per cwt. 2-10ths of a dollar ; fresh pork, per cwt. 18-90ths of a dollar ; salt pork in barrels, per cwt. 24-90ths of a dollar ; fresh beef, hide, and tallow, per cwt. 24-90ths of a dollar ; salt beef in barrels, per cwt. 24-90ths of a dollar ; salt, per bushel, 6-90ths of a dollar ; molasses, per gallon, 3-90ths of a dollar ; rum, India rum, per gallon, 3-90ths of a dollar ; American rum or white rum, per gallon, 3-90ths of a dollar ; rice, per cwt. 6-90ths of a dollar ; meat for packing beef, pork, or fish, each, 4-90ths of a dollar ; bread cost of lining hoops, each, 3-90ths of a dollar ; vinegar per barrel, 3-90ths of a dollar ; turnips and potatoes, per bushel, 4-90ths of a dollar ; beans, per bushel, 6-90ths of a dollar ; pickled shad, per barrel, 12-90ths of a dollar ; onions, per bushel, 5-90ths of a dollar :

That each assistant purchasing commissary shall be allowed ten per cent on the sum which he shall save by purchasing good provisions at less price than such as are fixed in the respective states.

That it shall be the duty of each deputy commissary to superintend the assistant purchasing commissaries in his department is properly conducted, and that the provisions are seasonably procured in his district, and that he shall receive an allowance equal to 1-5th part of the savings as aforesaid.

While this resolution was under consideration, the following vote was taken :

New-Hampshire, Mr. Frost,	no	>	no
Maine-Bay, Mr. Gerry,	ay	>	no
Rhode-Island, Mr. Ellery,	no	>	no

<i>Pennsylvania,</i>	Mr. Roberdeau,	ay	} ay	<i>Virginia,</i>	Lee,	no	} no
	J. B. Smith				Harvie,	no	
	Jas. Smith,	ay		<i>N.-Carolina,</i>	Mr. Burke,		} ay
	Clingan,	ay		<i>S.-Carolina,</i>	Mr. Laurens,	ay	
<i>Maryland,</i>	Mr. Forbes,	ay	} div.				
	Henry	no					

So it passed in the negative.

The question being put on 1-5th, resolved in the affirmative.

On the question put to agree to the resolution as amended, the yeas and nays being required,

<i>N.-Hampshire,</i>	Mr. Frost,	ay	} ay	<i>Maryland,</i>	Mr. Forbes,	ay	} ay
<i>Massa'tu-Bay,</i>	Mr. Gerry,	ay			Henry,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay	<i>Virginia,</i>	Mr. F. L. Lee,	ay	} ay
<i>Connecticut,</i>	Mr. Dyer,	no			Harvie,	ay	
	Wolcott,	no	} no	<i>N.-Carolina,</i>	Mr. Penn,	ay	} ay
<i>New-Jersey,</i>	Mr. Clark,	ay			Burke,		
	Scudder,	ay	} ay	<i>S.-Carolina,</i>	Mr. Laurens,	ay	} ay
<i>Pennsylvania,</i>	Mr. Roberdeau,	ay					
	J. B. Smith,		} ay				
	James Smith,	ay					
	Clingan,	ay					

So it was resolved in the affirmative,

**Resolved,** That it shall be the duty of the commissary general of purchases to superintend all the officers of his department; to give the necessary orders to the deputy-commissaries general, and see that the business in each department is properly executed, and that full supplies of provisions for the army are seasonably procured; and that he shall be entitled to an allowance equal to one-third part of the whole allowance made to his deputy-commissaries general as aforesaid:

That the allowances herein provided for the commissary and deputy commissaries general, and assistant commissaries, shall be in lieu of all other rewards for their respective services and expenses, including the pay of their clerks in purchasing provisions:

That the commissary general be directed to visit the armies and posts, and that he be subject to the orders of the commander in chief; and that he be excused from residing at the place where Congress sits, he keeping a clerk and office there, to which all returns shall be made, and which shall be under the inspection and direction of the board of war:

That the commissary general, deputy-commissaries general, and assistant commissaries of purchases, govern themselves in all other respects by the regulations for the commissary's system passed in Congress, the 10th day of June last, and the subsequent resolutions of the 4th day of October last, except such parts thereof as are altered by these regulations.

**Resolved,** That a committee of three be appointed to report a plan for taking bonds with sufficient sureties from officers entrusted by the United States with public monies: the members chosen, Mr. Ellery, Mr. Henry and Mr. Burke.

A report from the board of war was read; Whereupon,

**Resolved,** That col. Harrison's regiment of artillery be, and they are hereby ordered from Virginia, to join the grand army, without the least delay; agreeably to general Washington's request:

**Resolved,** That the part of the report, which relates to the 13th Virginia regiment, be postponed.

**Resolved,** That gen. Washington be empowered to order col. Hazen's or any other regiment from the northward, if he judges it proper, to join the main army as soon as the season will admit.

Adjourned to ten o'clock to-morrow.



SATURDAY, *March 14, 1778.*

The committee on the treasury brought in a report; Whereupon,  
*Ordered*, That a warrant issue on the treasurer in favor of brigadier Scott, for 2000 dollars, in discharge of a bill drawn by William Palfrey, esq. pay-master general, for that sum, on the president of Congress, dated General Pay-Office, the 6th of March, in favor of the said brigadier Scott, and expressed to be for the use of the forces of the United States; the pay-master general to be accountable:

That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 5000 dollars, to enable the said board to advance that sum to col. Nathaniel Gist, for the purpose of recruiting Indians; the said pay-master to be accountable:

That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 10,000 dollars, to be advanced him for the purpose of paying contingent expenses and other demands of the board of war; the said pay-master to be accountable:

The commissioners of claims report, that they have examined the accounts of the late commissioners of claims, and find that they have received from John Gibson, esq. auditor-general, the sum of 2520 dollars, which they have paid as follows, viz.

To sundry officers and soldiers belonging to different regiments of the continental army, whose times were expired, and who were taken prisoners at Fort Washington, as per receipts, 1435 85-90 dollars;

To sundry officers and soldiers belonging to different regiments of the flying camp, taken at Fort Washington, 962 59-90 dollars;

To Michael Hillegas, esq. continental treasurer, the balance for which he is to be accountable, 121 36-90 dollars.

The board of treasury having reported on the bills of exchange drawn by the late col. William Kennon on John Hancock, esq. president of Congress, a motion was thereupon made,

"That the board of treasury be directed to pay the said bills;" Whereupon, the previous question was moved, whether that question shall be now put, and the yeas and nays required,

<i>New-Hampshire</i> , Mr. Frost,	ay	} ay	<i>Maryland</i> ,	Mr. Forbes,	ay	} div.
<i>Massa'sts-Bay</i> , Mr. Gerry,	no	} *		Henry,	no	} *
	Lovell,	}	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	} div.
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Harvie,	no	} *
<i>Connecticut</i> , Mr. Dyer,	no	} *	<i>N.-Carolina</i> ,	Mr. Penn,	no	} *
	Wolcott,	ay		Harnett,	ay	} ay
	Huntington,	no		Burke,	ay	} *
<i>New-Jersey</i> , Mr. Clark,	ay	} div.	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	} ay
	Scudder,	no	<i>Georgia</i> ,	Mr. Langworthy,	no	} no
<i>Pennsylvania</i> , Mr. Roberdeau,	no	} *				
	J. B. Smith,	no				
	Jas. Smith,	ay				
	Clingan,	no				

So it passed in the negative.

It was then moved, "that the said report be re-committed," and the yeas and nays being required,

<i>New-Hampshire</i> , Mr. Frost,	no	} no	<i>Pennsylvania</i> ,	Mr. Roberdeau,	ay	} *
<i>Massa'sts-Bay</i> , Mr. Gerry,	ay	} *		J. B. Smith,	no	} *
	Lovell,	}		James Smith,	ay	} *
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay		Clingan,	ay	} *
<i>Connecticut</i> , Mr. Dyer,	no	} *	<i>Maryland</i> ,	Mr. Forbes,	no	} div.
	Wolcott,	ay		Henry,	ay	} *
	Huntington,	ay	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	} ay
<i>New-Jersey</i> , Mr. Clark,	no	} no		Harvie,	ay	} *
	Scudder,	no				

N.-Carolina,	Mr. Penn,	} ay	S.-Carolina,	Mr. Laurens,	no	} no
	Harnett,		Georgia,	Mr. Langworthy,	no	
	Burke,					

So it was resolved in the affirmative.

*Ordered*, That the bills of exchange, together with Mr. President Rutledge's letters of April, 1777, be returned to the Rev. Mr. Paul Turquand, who presented them for payment, and also a copy of Mr. Turquand's letter to Congress, if he shall desire it.

A report from the board of war was read :

*Ordered*, That the consideration thereof be postponed.

*Resolved*, That John Moore, esq. of the county of Albemarle, in Virginia, be appointed to act as an assistant-commissary of purchases under William Aylett, esq. deputy commissary-general, for procuring live cattle and pork, for the use of the army under general Washington, so long as the said deputy commissary-general may find his services necessary, and that he be directed to conform to the rules and regulations laid down in the commissary's system, and receive the same allowance on his purchases as is thereby given to other assistant purchasers : and that he be furnished, from time to time, with money from the treasury for the above mentioned purposes.

Adjourned to ten o'clock on Monday.

MONDAY, *March* 16, 1778.

Mr. Banister, a delegate from Virginia, attended and took his seat in Congress.

A letter, of the 7th and 8th, from general Washington, was read, with sundry papers enclosed, viz. a letter, of February 14th, from general Howe ; one, of the 22d, containing depositions of Thomas Wileman, of the 17th dragoons, and serjeant George Thompson, of the 63d regiment ; a declaration, signed Thomas Franklin, agent for American prisoners in Philadelphia, and a report of Mr. Sanford, and one of the 2d of March :

Another letter of the 12th, from general Washington, with copies of letters enclosed that passed between him and general Howe, was read :

*Ordered*, That so much of the said letters and papers as respect the settlement of accounts relative to prisoners previous to a general exchange, as directed by the resolution of the 26th of February, be referred to a committee of three : the members chosen, Mr. Lee, Mr. Henry and Mr. Huntington.

*Ordered*, That the remainder of the letters be referred to the board of war.

A letter, of the 15th, from governor Clinton, was read.

*Ordered*, That it be referred to the committee on governor Johnson's letter of the 6th.

A letter, of the 15th of February, from governor Caswell, was read.

A letter, of the 1st, from Benjamin Harrison, and one, of February 27th, from G. Wythe, were read :

*Ordered*, That the former be referred to the board of treasury, and the latter to the marine-committee

A letter, of February 15th, from gov. Caswell to F. L. Lee, esq. was read :

*Ordered*, That it be referred to the board of war.

A letter, of February 26th, from J. Tazewell, continental agent in the state of Virginia, was read, desiring leave to resign his office :

*Resolved*, That his resignation be accepted, and that John Carter, esq. be appointed in his stead.

A letter, of the 10th, from E. Boudinot, esq. commissary-general of prisoners, with three papers enclosed, directed to the board of war, was laid before Congress and read :

*Ordered*, That so much of the said letter as relates to money matters, be referred to the board of treasury, and the remainder to the board of war.

## FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereupon,  
*Ordered*, That a warrant issue on the treasurer in favor of Cornelius Bennett, esq. for the use of Francis Brice, for 2500 dollars in discharge of Mr. Ashe's two draughts on the treasurer, dated the 27th of March, 1777, in favor of the said Brice, one for 1000 dollars, and the other for 1500 dollars, both expressed to be for the use of the United States; the state of North Carolina to be accountable:

That a warrant issue on the treasurer in favor of lieut. William Lee, for 20,000 dollars, to be by him conveyed to the hon. George Read, president of the state of Delaware, advanced to, and for which that state is to be accountable.

A letter, of the 7th, from William Palfrey, esq. pay-master general, directed to the board of treasury, was read:

*Ordered*, That it be returned to the board.

*Resolved*, That two members be added to the committee on the conduct of committees at New-Haven, in the room of Mr. Witherspoon and Mr. McKean, who are absent: the members chosen, Mr. Banister and Mr. Livingston.

Congress resumed the consideration of the report of the board of war of the 13th, relative to the 13th Virginia regiment, and, after debate,

*Resolved*, That the consideration thereof be postponed.

*Resolved*, That the board of war be directed to deliver to the order of the president and council of Pennsylvania, the prisoners sent from that state to Virginia.

*Resolved*, That the application, "that the hon. John Penn and Joseph Chew, may be delivered over to the order of the state of Pennsylvania" be referred to a committee of three, who are directed to correspond with the said state and report to Congress: the members chosen, Mr. Cha. L. James Smith, and Mr. Henry.

Whereas, Congress have not received information of the measures which the several states have, from time to time, adopted, in consequence of their recommendations; and, whereas, such information, together with the concurrence of the respective legislatures in vigorously executing the resolutions of Congress, is essentially necessary to enable them to transact the important concerns of the United States:

*Resolved*, That the governors and presidents of the said states be earnestly requested to transmit to Congress, as soon as possible, attested copies of the acts passed by their respective legislatures, in pursuance of the recommendations of Congress, which they may have received since the 1st of November last; and of all acts which they may hereafter pass, in consequence of future recommendations.

The committee to whom were referred sundry letters received by the committee of commerce, relative to the claims of Roderique Hornum & Co. brought in a report:

*Ordered*, That it be referred to a committee of the whole; and that tomorrow Congress resolve itself into a committee of the whole.

Congress took into consideration the report of the committee of the 14th: Whereupon,

*Resolved*, That one full company of men be raised in the said town and the settlements thereof, against the Indians and company to be enlisted to serve one year, or sooner discharged by Congress:

That officers be commissioned who shall be enlisted:

That the same pay and rations be allowed the company as to officers of the like ranks and soldiers in the continental army :

That the commissary-general of purchases contract with a suitable person to supply the company with provisions :

That the company find their own arms, accoutrements, clothes, and blankets :

That the colonel, and, in his absence, the next commanding field officer of the militia, at the said town of Westmoreland, be desired and empowered to superintend the said company, give orders relative to the station or stations it shall take for the defence of the country, or other proper military services, and to see that the officers and men faithfully perform their duty, and on failure to give notice thereof to the board of war.

Adjourned to ten o'clock to-morrow.

### TUESDAY, *March 17, 1778.*

The committee to whom was referred that part of gen. Washington's letters, relative to the exchange of prisoners, brought in a report :

*Resolved*, That the consideration thereof be postponed.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of James Milligan, esq. commissioner of claims at the treasury, for 1279 dollars, in full of his salary to this day inclusive.

According to the order of the day, Congress resolved itself into a committee of the whole, to consider the report on the claims of Roderique Hortales & Co. and after some time, the president resumed the chair, and Mr. Harvie reported, that the committee have had under consideration the matter to them referred, but not having come to a conclusion, desire leave to sit again :

*Resolved*, That this afternoon Congress resolve itself into a committee of the whole, to consider farther the report on the claims of Roderique Hortales & Co.

### FOUR O'CLOCK, P. M.

*Resolved*, That the board of war be empowered and directed to appoint officers and fill up commissions for the company ordered by the resolution of yesterday, to be raised for the defence of Westmoreland and the settlements adjacent, and to take every measure necessary for carrying the said resolutions into effect.

Congress then resolved itself into a committee of the whole, to consider farther the report of the committee on the claims of Roderique Hortales & Co. and after some time the president resumed the chair, and Mr. Harvie reported, that the committee have had under consideration the matter to them referred, and have made some progress therein, and not having come to a conclusion, desire leave to sit again :

*Resolved*, That to-morrow Congress be resolved into a committee of the whole, to consider farther the matter referred to them.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, *March 18, 1778.*

The committee on the treasury brought in a report : Whereupon,

*Ordered*, That a warrant issue on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, in favor of Elias Boudinot, esq. commissary-general of prisoners, for 2500 dollars :

That another warrant issue on the commissioner of the loan-office for the state of Massachusetts-Bay, in his favor, for 4000 dollars ; and another on the commissioner of the loan-office in the state of Connecticut, for a like

sum of 4000 dollars; all which are for the use of his department, and are charged to his account.

A memorial of Alexander Foster, in behalf of B. McClenahan, and others, owners of the schooner Liberty, was read:

*Ordered*, That the said memorial, together with the petition of William Bell, presented on the 10th day of February, and that of James Gallop, on the 21st, be referred to a committee of three: the members are, Mr. Dyer, Mr. Clark, and Mr. Langworthy.

*Resolved*, That Mr. Banister be added to the committee on the same.

An account of Timothy Edwards, commissioner of Indian affairs, was presented to Congress:

*Ordered*, That it be referred to the board of treasury.

Congress took into consideration the report on the general's letter of the 7th and 8th, and after debate,

*Resolved*, That the farther consideration thereof be postponed to the afternoon.

#### FOUR O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereas,

*Ordered*, That a warrant issue on the treasurer in favor of Joseph Fox, pay-master to the board of war and ordnance, for 20,000 dollars, to be applied by the board for the purpose of purchasing meat and hiring wagons in Virginia, for the service of the grand army; the said pay-master to be accountable:

That a warrant issue on the loan-office in the state of Georgia, in favor of Joseph Clay, esq. deputy pay-master general in the said state, for 20,000 dollars, being the residue of the 300,000 dollars ordered by Congress on August last, to be sent to the state of Georgia for the military use, the remains unappropriated, which are to be draughted by the commanding officer in the state of Georgia, for the subsistence of the continental army under his command; the said pay-master to be accountable:

That a warrant issue on James Greene, jun. esq. commissioner of the loan office in the state of North-Carolina, in favor of the assembly of the said state, for 30,000 dollars; the said state to be accountable:

That a warrant issue on the treasurer for 1200 dollars, in favor of John Clark, one of the auditors of accounts in the main army, for the purpose of purchasing a covered wagon and four horses for the use of the said office in camp; major Clark to be accountable.

The marine committee brought in a report:

*Ordered*, That the consideration thereof be postponed.

A letter, of the 14th, from gen. Washington, was read:

*Ordered*. That it be referred to the board of war



that, if the present intended exchange shall take place, a sufficient number of the enemy, now in the power of the United States, will still remain to secure the payment of any balance that may be due on account of their support, and the views of Congress in the resolutions aforesaid be fully answered; therefore,

*Resolved*, That gen. Washington be authorized and empowered to proceed in the exchange of such prisoners as are now in the power of the enemy, without waiting for the settlement of the accounts aforesaid; and take measures for settling a general cartel for the exchange of prisoners in future, upon such principles as may appear to him most advantageous to the United States, and agreeable to the aforementioned resolutions:

On the question put to agree to the preamble and the first clause of the resolution, the yeas and nays being required,

<i>New-Hampshire</i> , Mr. Frost,	ay	ay	<i>Maryland</i> ,	Mr. Forbes,	ay	
<i>Massa'sts-Bay</i> , Mr. Gerry,	no	*		Henry,	ay	ay
	Lovell,	no		Mr. F. L. Lee,	ay	
<i>Rhode-Island</i> , Mr. Ellery	no	no	<i>Virginia</i> ,	Harvie,	ay	ay
<i>Connecticut</i> , Mr. Dyer,	ay			Banister,	ay	
	Huntington,	ay	<i>N.-Carolina</i> ,	Mr. Penn,	ay	ay
<i>New-York</i> , Mr. Lewis,	ay	*		Harnett,	ay	
<i>New-Jersey</i> , Mr. Clark,	ay			Burke,	ay	
	Scudder,	ay	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	ay
<i>Pennsylvania</i> , Mr. Roberdeau,	no	div.	<i>Georgia</i> ,	Mr. Langworthy,	ay	ay
	Jas. Smith,	ay				
	J. B. Smith, decl'd vot'g					
	Clingan, declined voting					

So it was resolved in the affirmative.

The committee on the treasury brought in a report; Whereupon,

*Resolved*, That the resignation of John Benezet be accepted, and that his pay cease from the date of his letter.

*Ordered*, That a warrant issue on the treasurer in favor of Mr. Joseph Nourse, pay-master to the board of war and ordnance, for 25,000 dollars, to be by him transmitted to William Finnie, deputy quarter-master general in Virginia, and that general Mifflin, late quarter-master general, be charged with the said sum, and furnished with a copy of this resolution:

That a warrant issue on the treasurer in favour of Joseph Nourse, pay-master to the board of war and ordnance, for 50,000 dollars, to be by him transmitted to Benjamin Harrison, esq. deputy pay-master general in Virginia, for the use of his department; he to be accountable.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, March 19, 1778.

*Ordered*, That the committee appointed to revise the rules for regulating the conduct of Congress in transacting business, bring in their report on Monday.

*Ordered*, That the letters of the 7th, 8th and 12th, with the papers enclosed, from gen. Washington, be delivered to the committee to whom were referred those parts relative to the general exchange of prisoners.

A letter, of the 19th, from J. M'Pherson, was read:

*Ordered*, To lie on the table.

A letter, of the 11th, and one of the 12th, from major-general the marquis de la Fayette, were read:

*Ordered*, That they be referred to a committee of three: the members chosen, Mr. Ellery, Mr. Banister and Mr. Henry.

FOUR O'CLOCK, P. M.

A report from the board of general officers to gen. Washington was read; Whereupon,

*Resolved*, That gen. Washington call in and cancel the commissions of brigadiers Woodford, Muhlenburg, Scott and Weedon.

A letter from the board of war was read; also a report on the 14th, from gen. Washington:

*Ordered*, That the report lie on the table.

Another report from the board of war was read; Whereupon,

*Resolved*, That the government of the state of Pennsylvania be ordered to station 500 militia, at the following places, in that state, and other prudent officers, viz. 200 men at Easton, 100 at Bethlehem, and 200 at Reading, for the defence of the magazines of military and other small provisions at those places, and to keep the communication secure from sudden incursions of the enemy, until the board of war or gen. Washington shall think it expedient to discharge the said militia.

*Ordered*, That the remainder of the report be referred to the delegates of Pennsylvania.

Another report from the board of war was read; Whereupon,

*Resolved*, That it be earnestly recommended to the several states, to take the most speedy and effectual measures for raising their quotas, in accordance to the resolutions of the 26th of February and to cause them to be so raised, or which had been raised, previous to the passing that resolution, to march to their places of rendezvous without delay, taking care that as many as possible come armed and accoutred: and, that a most ample and adequate supply of accoutrements may be provided.

*Resolved*, That it be recommended to each state, to appoint one or more persons, to get made, with all possible despatch, as many complete sets of accoutrements and spare bayonet sheaths as shall be wanted for their respective quotas of troops; the cartridge boxes to be made of at least 20 rounds of cartridges when made up with ounce-balls, and of good substantial leather, with a small cover or flap under it, to be so constructed that the ammunition may be most effectually guarded against rain: and to prevent impositions from the workmen, that proper inspectors be appointed to examine and receive the accoutrements, with orders to reject such as are found insufficient; and that the accoutrements, so provided, be sent forward to the troops, or as soon after as possible:

That, in case in any state they have quantities of tin, instead of the touch boxes, an equal number of tin cartridge canisters be furnished of the same pattern or description to be sent by the board of war.

*Resolved*, That the farther consideration of the report be postponed.  
Adjourned to ten o'clock to-morrow.

#### FRIDAY March 20, 1778.

A letter, of this day, from W. Buchanan, was read:

*Ordered*, That it be referred to the committee appointed to revise the system of the commissary's department; and that a member be added to the said committee in the room of Mr. Harvie, who is absent: the member to be Mr. F. L. Lee.

A letter, of the 7th of New-York, was read

A letter, of the 15th

*Ordered*, That it be

In consequence of the director-general reports

That there is due provision at Donald, Reynald and Maryland, and their provisions last to the

themselves each, and one dollar for each servant, 325 dollars, which sum is to be paid to either of the M'Donald's :

*Ordered*, That the said sum be paid.

Congress took into consideration the report of the marine committee ; Whereupon,

*Resolved*, That officers of the continental navy not in actual service, be allowed their pay, but not their rations, nor the subsistence money allowed by the resolution of the 25th of July, 1777 :

That such officers of the navy as are or may be taken by the enemy, be allowed the pay while in the enemy's possession or under parole, and rations during their captivity, deducting therefrom such supplies, as they may, in that time, have received from the enemy.

FOUR O'CLOCK, P. M.

A letter, of the 16th, from gen. Washington, with two papers enclosed, was read :

*Ordered*, That the same be referred to the board of war, who are directed to report this evening.

The committee to whom was referred the representation from the president and council of Pennsylvania, brought in a report ; Whereupon,

*Resolved*, That the supreme executive council of Pennsylvania be requested to take measures, that the law lately passed in that state, for the express purpose of filling magazines for the use of the continental army, be effectually executed by the commissioners named in the said law, for obtaining the 30,000 barrels of flour directed to be laid up, on the east side of Susquehanna, and such other kinds of provisions as may be in their power to procure, unless Congress shall find that quantity of flour unnecessary to be procured, and shall give orders accordingly : that the commissioners who act on the west side of Susquehanna, use their endeavours to purchase and lay up such quantities of provisions, and in such places as the board of war shall deem necessary for the use of the army in case of emergency :

That Congress conceive all cause of complaint against the instructions of the board of war to their superintendents must now cease, as three of the said superintendents have been dismissed, and it is expressly enjoined upon the others to conform to the regulations of the state in which they are, from time to time, employed :

That the president of the state of Pennsylvania be informed that whatever rate the legislature of that state has fixed for the wages of wagons, shall be paid for the wagons of that state employed in the service of the continent since those rates were enacted :

That major-gen. Mifflin, late quarter-master general, be directed to cause immediate payment to be made of all wages justly due from him to the inhabitants of the state of Pennsylvania, whose wagons have been employed by him in the continental service :

That the commissioners appointed by the law of Pennsylvania to fill certain magazines for the use of the continental army, be directed to confine their purchases within the limits of their own state.

A letter from Thomas Hite, of Berkley, in Virginia, to the president of the board of war, was read :

*Ordered*, That it be returned to the board of war, and that they be directed to take proper measures by writing to the deputy commissary-general of purchases in that state, or to Mr. Hite, for securing the bacon mentioned in his letter.

Congress resolved itself into a committee of the whole, to consider farther the report of the committee on the letters relative to the claims of Roderique Hortales & Co. and after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had the same under their

further consideration, and have come to some resolutions thereon, which he was directed to report when the house is ready to receive it :

*Ordered*, That it be now received, and that the consideration thereof be postponed till to-morrow.

The board of war, to whom the letter of the 16th, from gen. Washington, was referred, having reported thereon,

*Ordered*, That the consideration of the report be postponed till to-morrow. Adjourned to ten o'clock to-morrow.

### SATURDAY, *March 21*, 1778.

A letter, of the 7th, from George Clymer, esq. one, of the 2d, from col. G. Morgan ; one, of the 8th of August, 1777, from Bernardo de Galves, governor of New-Orleans ; one, of the 19th of November, from Francis Crurati, commandant at Illinois ; also, a letter, of the 17th instant, from gen. Washington, enclosing an extract of a letter of the 7th, from brigadier Parsons, and copies of two letters, one dated the 2d, and the other the 27th of December, from gen. Putnam, were read.

Congress took into consideration the report of the board of war on the general's letter ; Whereupon,

*Resolved*, That the command of all the troops which now are, or shall be collected and stationed in the state of New-York, and in the whole northern department, be vested in one general officer ; that this officer have in charge all the forts, posts, and passes therein, and authority to erect and make such fortifications as he, with the advice of gov. Clinton, and the general officers there, shall judge necessary for securing the same, and to execute all the powers lately given by Congress and the board of war, relative to the defence of the North-River :

That governor Clinton be requested to yield to the said general officer all the aid in his power in erecting and making the fortifications and obstructions aforesaid :

That, for the more speedy defence of the North-River, the said general officer, or, in case of his absence or sickness, the officer next in command, in the district above described, be directed forthwith to draw together, at the Highlands, such of the troops therein as he shall deem expedient.

And as the works would be greatly expedited if most of the continental troops now at Albany were employed therein ; to enable him to do this, the said general officer is hereby authorized to ask of the government of the state of New-York such numbers of their militia as he shall judge necessary, to serve at Albany, for the security of the arsenal and magazines there, until the obstructions at the highlands are in such condition as to render any sudden attempt upon Albany by that pass impracticable :

That, for manning the gun-boats and floating batteries built or building on the North-River, the said general officer have power to engage the necessary officers and men, for such time, and on such terms, as he shall judge proper

### FIVE O'CLOCK, P. M.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of William Stanton, esq. for 8670 dollars, in discharge of a draught by William Palfrey, esq. pay-master general, dated the 15th inst. on the president, in favor of the said Stanton, for that sum, expressed to be for the use of the army of the United States ; for which the pay-master general is to be accountable.

A petition from James Norris was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Harnett, Mr. Langworthy, and Mr. M'Kean.

*Resolved*, That the board of war be directed to nominate a proper person

to serve as town major in the town of York, or such other town as Congress shall sit in, and to give proper orders that all strangers arriving at or passing through such town, shall be duly examined, and report duly made touching such matters as may any way relate to the public safety; also, to order proper guards to be stationed at all the ferries on Susquehanna river, from the mouth thereof to Harris' Ferry, inclusive, and to give proper instructions to the officers commanding such guards relative to the examinations, (and arrest, if necessary) of all persons who shall attempt to cross the said river.

The committee to whom was referred the memorial of Alexander Forster, &c. report,

That having examined the account of the said Alexander Forster, and gained the best information they were able of the prices of the salt, rum, and sugar taken or bought by the commissary for the use of the army, the latter end of October and beginning of November last, in New-Jersey, they find the same to be as follows: good imported salt, 20 dollars per bushel; rum, 6 2-3d dollars per gallon; sugar, 106 2-3d dollars per hundred; they are therefore of opinion, that the commissary or deputy commissary-general of purchases should settle the account with A. Forster & Co. at that price and rate aforesaid, and allow them lawful interest after the time that payment ought to have been made; and that the flour Mr. Forster has received in payment, be estimated at the then current price:

*Resolved*, That Congress agree to the said report.

The committee to whom were referred the letters of the 11th and 12th, from the marquis de la Fayette, brought in a report; Whereupon,

*Ordered*, That a committee of three be appointed to prepare the draught of a letter, to be signed and sent by the president, to the marquis, in answer to the said letters: the members chosen, Mr. F. L. Lee, Mr. Burke, and Mr. M'Kean.

*Resolved*, That the powers given to major-general M'Dougal, by general Washington, mentioned in his letter of the 16th, be confirmed by Congress:

That col. Van Schaick's and col. James Livingston's regiments be ordered to Peek's-Kill:

That gov. Clinton and gov. Trumbull be requested to give every assistance in their power to gen. M'Dougal for perfecting the defence of the North-River.

Adjourned to ten o'clock on Monday.

#### MONDAY, March 23, 1778.

A letter, of February 28th, from Otis & Andrews, of Boston, with sundry papers enclosed, was read:

*Ordered*, That it be referred to the board of treasury.

A letter of the 16th, from gen. Washington, was read, and also one, enclosed from col. Webb, requesting leave to resign his commission:

*Ordered*, That the general's letter be referred to the board of war:

That colonel Webb have leave to resign.

The board of war having transmitted to Congress the following letters, viz. one, of the 19th, from col. Hollingsworth to the board, one, of the 18th, from the same, to col. Buchanan, and one of February 21st, from gen. Washington, to col. Hollingsworth; the same were read and returned to the board:

A letter, of the 18th, from gen. Washington, with one enclosed from brigadier Smallwood, was read.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Samuel Downe, esq. his pay as commissioner of accounts at Hartford, from February 4th, 1777, to March 18th, 1778, a balance of 1198 dollars:



To Timothy Edwards, esq. his pay as commissioner for Indian affairs in the northern department, to January 11th, 1778, 460 dollars :

To John Spangler, for the transportation of the baggage of the Pennsylvania militia in January, 1778, 52 dollars :

To George Pentz, for transporting the baggage of Pennsylvania militia in January, 1777, 52 dollars :

To Jacob Lefever, for transporting baggage of Pennsylvania militia in July, 1776, 28 dollars :

To Peter Wolf, for victualling sundry parties of Pennsylvania militia, 11 86-90 dollars :

*Ordered*, That the said sums be paid.

The commissioners of claims report, that they have examined the accounts of the board of war up to the 4th of February, and find a balance due by the board to the United States of 459 75-90 dollars, which is paid to them (the commissioners) and for which they are ready to account, and are to be charged therewith.

A certificate of lieutenant-colonel Adam Hubley, in favor of lieutenant Berwick, was read :

*Ordered*, That it be referred to the board of treasury.

FIVE O'CLOCK, P. M.

Mr. Chase, a delegate from Maryland, attended, and took his seat.

A letter, of the 20th, from gov. Johnson, was read :

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred the petition of James Norris, brought in a report : Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of James Norris, for 1527 60-90 dollars, in full payment of his capture from the enemy on the 9th of January, 1777, at Elizabeth-town, in New-Jersey, which was delivered up to the army of the United States.

*Resolved*, That gen. Conway be directed to repair to the army at Red-Bank, now under the command of gen. M'Dougal, who, while he continues in that command, is authorized to draw on Jonathan Trumbull, esq. paymaster in the northern department, for money to answer such demands as relate to the army on Hudson's river.

A petition of captain Sullivan, was read :

*Ordered*, That it be referred to the board of war.

A letter, of the 15th, from John Baynton, was read :

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of the delegates of the state of Maryland, for 100,000 dollars, to be by them transmitted to the governor and council of that state, for the purpose of purchasing provisions for the grand army ; the said state to be accountable :

That a warrant issue on the treasurer for 1100 dollars, in favor of major-general Gates ; for which he is to account.

Congress took into consideration the report of the committee of the whole on the letters relative to the claims of Roderique Hortales & Co. and after debate,

*Ordered*, That the farther consideration thereof be postponed.

*Ordered*, That a warrant issue on the treasurer in favor of the committee of commerce, for 20,000 dollars, to be paid to Mr. de Francey, agent for Roderique Hortales & Co. alias Mons. Beaumarchais, and that the exchange be adjusted at the rate of 400 per cent.

Adjourned to ten o'clock to-morrow.

TUESDAY, *March 24, 1778.*

A letter, of January 27th, from col. Gansevoort, and one, of the 12th instant, from brigadier Learned, requesting leave to resign his commission, were read :

*Ordered*, That the letter from col. Gansevoort, be referred to the board of war.

*Resolved*, That the resignation of brigadier Learned be accepted.

A letter, of January the 25d, from the council of Massachusetts-Bay, was read :

*Ordered*, That it be referred to the board of war.

A letter, of the 10th, and one of the 12th, from major-general Heath, were read, the former enclosing copies of the following letters, viz. one of the 4th, from capt. Dalrymple to lieut. gen. Burgoyne; one of the 8th, to gen. Burgoyne, and gen. Burgoyne's answer of the 9th, and sundry letters that passed between major-general Heath and capt. Dalrymple; also a request of lieut. col. Sutherland, of the 47th regiment :

*Ordered*, That so much of the letter of the 10th, as relates to money, be referred to the board of treasury.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favour of John Bradley, for 20,000 dollars, to be conveyed to John Baynton, esq. deputy pay-master general for the western district; the said pay-master to be accountable :

That a warrant issue on the treasurer in favor of Thomas Stuart, for 10,500 dollars, to discharge a draught of his excellency Richard Caswell, governor of North-Carolina, on the treasurer, dated Newbern, the 22d of December, 1777, for 10,000 dollars, in favor of William Skinner, esq. treasurer of the northern district of the said state, expressed to be for the purpose of purchasing leather and deer-skins, agreeably to a resolve of Congress; and John Ashe's draught on the treasurer, dated the 18th of April last, for 500 dollars, in favor of major Hardy Murfree, expressed to be for the use of the continental troops; the said state to be accountable.

## FIVE o'clock, P. M.

A motion was made, that Congress sit but once a day, from nine in the morning to two in the afternoon, precisely; Whereupon, the previous question was moved, and, the same being put, passed in the affirmative.

The main question being then put, and the yeas and nays required,

<i>N.-Hampshire</i> , Mr. Folsom,	no } no	<i>Delaware</i> ,	Mr. M'Kean,	ay } ay
	Frost, <i>declined answering</i>	<i>Maryland</i> ,	Mr. Chase,	ay } ay
<i>Massa'tts-Bay</i> , Mr. Gerry,	no } no		Forbes,	ay } ay
	Lovell,		Henry,	ay } ay
	Dana, <i>declined answering</i>	<i>Virginia</i> ,	Mr. F. L. Lee,	ay } ay
<i>Rhode-Island</i> , Mr. Ellery,	ay } ay		Banister,	ay } ay
<i>Connecticut</i> , Mr. Dyer,	no } no	<i>N.-Carolina</i> ,	Mr. Harnett,	ay } ay
	Wolcott		Burke,	ay } ay
<i>New-York</i> , Mr. Lewis,	ay } *	<i>S. Carolina</i> ,	Mr. Laurens, <i>decl'd answer'g</i>	
<i>New-Jersey</i> , Mr. Clark,	no } no	<i>Georgia</i> ,	Mr. Langworthy,	ay } ay
	Scudder,			
<i>Pennsylvania</i> , Mr. Roberdeau,	no } no			
	James Smith,			
	Clingan,			

So it was resolved in the affirmative.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *March 25, 1778.*

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of the marine

committee for 3000 dollars, for the purpose of defraying their contingent expenses; for which they are to be accountable.

Congress resumed the consideration of the report of the committee of the whole, and after debate,

*Ordered*, That the farther consideration be postponed.

*Ordered*, That a warrant issue on the treasurer in favor of the board of war, for 200,000 dollars, for public service; the said board to be accountable.

*Resolved*, That a committee of three be appointed and authorized to enquire into the state of the purchases of wheat and flour, for the use of the army, made by the superintendents, the commissioners of the state of Pennsylvania, and the purchasing commissaries, and report thereon: the members chosen, Mr. James Smith, Mr. Chase, and Mr. Ellery.

A letter from the board of war was read.

Adjourned to nine o'clock to-morrow.

#### THURSDAY, *March* 26, 1778.

A memorial from W. Bedlow was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of February 24th, from the council of Massachusetts-Bay, respecting allowances to be made to sick and wounded soldiers, was read.

A letter, of the 17th, from gov. Livingston, was read, informing that, as prisoners begin to pass through Princeton, and recruits soon will, he has found it necessary to appoint Mr. Thomas Stockton to be issuing commissary there, and fixed his wages at 20 dollars a month, and allowed his clerk 2-3ds of a dollar per day:

*Resolved*, That Congress approve the appointment.

*Ordered*, That the letter be referred to the board of treasury.

A letter, of January 27th, from colonel Gansevoort, was read:

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the letter of the 25th, from the board of war; Whereupon,

*Ordered*, That it be referred to a committee of five, and that they confer with the board of war and report specially on the subjects mentioned therein: the members chosen, Mr. Dana, Mr. Chase, Mr. M'Kean, Mr. Scudder and Mr. Folsom.

Congress having great reason to expect an invasion of the state of Delaware, and being apprehensive that the enemy will be assisted or joined by the disaffected there, and considering the present condition of that government, and its inability to exercise such powers as are immediately and absolutely necessary for its preservation:

*Resolved, nemine contra dicente*, That brigadier Smallwood be directed to secure the persons of Thomas White, Charles Gordon, and such other inhabitants of that state as he shall, upon good grounds, suspect to be disaffected, and whose being at large will be dangerous to the independence of these states, and to send them under guard to such safe place or places as he shall think proper.

Two of the committee lately sent to camp being returned, moved sundry resolutions respecting the army, which were read:

*Ordered*, That the consideration thereof be postponed till to-morrow.

Adjourned to nine o'clock to-morrow.

#### FRIDAY, *March* 27, 1778.

A letter, of the 20th, from the marquis de la Fayette, was read:

*Ordered*, That it be referred to a committee of four: the members chosen, Mr. Duer, Mr. M'Kean, Mr. Huntington, and Mr. F. L. Lee.

A letter, of the 26th, from the council of Pennsylvania, was read:

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That the fortifications and works at Ticonderoga and Mount Independence be demolished, and that the board of war give the necessary orders for carrying this resolution into execution.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of major John Clark, for 800 dollars, for the purpose of paying the contingent expenses of the auditor's office in the army; he to be accountable.

The board of treasury having informed Congress that Mr. Joseph Henderson, chosen one of the auditors of accounts for the northern district, for reasons set forth in his letter to the board, is unable to accept the appointment.

*Resolved*, That another commissioner be appointed, and that to-morrow be assigned for that purpose.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That the commissioners have examined the accounts of capt. William Scott, for pay due to his officers and men to the end of February, 1778, and subsistence to the 19th of the same month; also recruiting expenses and expenses of marching to this place, amounting to 2747 30-90 dollars, exclusive of 180 dollars which he claims for bounty paid to nine men who have absconded; of which he says he has received from col. Thruston 1400 dollars, and by a warrant on the treasurer the sum of 500 dollars, which two sums deducted from the amount of his account, there remains a balance of 847 30-90 dollars:

That they have examined the accounts of Christopher Ludwig, superintendent of bakers for the continental army, amounting to 5315 43-90 dollars, including his pay to the 3d instant, of which he has received from Mr. Stewart, commissary of issues, 400 dollars, and from Mr. Buchanan, commissary-general of purchases, 3250 dollars, which two sums being deducted from his account, there remains a balance of 1665 43-90 dollars, including 100 dollars advanced to Michael Harvey, at Burlington; for which he is hereafter to account:

*Ordered*, That the said balances be paid.

*Ordered*, That the said report, so far as relates to captain Scott's claim of 180 dollars, be re-committed to the board of treasury.

*Resolved*, That in case the state of Pennsylvania shall grant to colonel Thomas Hartley the state bounty for the men that may be enlisted in that state for his regiment, the state shall have credit in its quota of troops for such men.

A report from the board of war, relative to capt. Ebenezer Sullivan, was read:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Duer, Mr. J. Smith and Mr. Clark.

*Resolved*, That the propositions moved yesterday, respecting the army, be referred to a committee of the whole Congress.

Congress was then resolved into a committee, and after some time, the president resumed the chair, and Mr. Lee reported, that the committee have had under consideration the propositions referred to them, but not having come to any determination thereon, desired leave to sit again:

*Resolved*, That Congress, this afternoon, resolve itself into a committee of the whole, to consider farther the propositions respecting the army.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Mr. Folsom, for his and Mr. Dana's expenses on a committee to camp, and for his expenses returning, the sum of 110 57-90 dollars:

*Ordered*, That the said account be paid.

The committee on the treasury brought in a report: Whereupon,

*Resolved*, That the certificate of lieutenant-colonel Hubley, of the 22d instant, representing, that lieutenant James Berwick had performed the duty of judge-advocate since the 4th day of February last, in a general court-martial ordered by the commander in chief, in which lieut. col. Hubley was president, be referred to major Clark and M. Clarkson, esqrs. auditors in the army, who are directed to consult with gen. Washington and report to him a proper allowance, to be paid out of the military chest, for the services performed by the said lieutenant Berwick.

*Resolved*, That John Lawrence, esq. judge advocate general, be hereafter allowed 75 dollars per month, his former rations, and forage for two horses.

*Resolved*, That the commissioners appointed to enquire into the causes of the miscarriage of the expedition against Newport, exhibit their accounts to the deputy pay-master general, or any of his assistants in the eastern department, who are authorized and directed to pay the same.

*Ordered*, That a warrant issue on Derk Ten Broek, esq. commissioner of the continental loan-office in the state of New-York, for 27,313 dollars, in favor of Jonathan Trumbull, jun. esq. pay-master in the northern department, for the use of his department, and for which he is to be accountable.

A letter, of the 24th, from gen. Washington, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to the board of war.

Congress was resolved into a committee, and after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther consideration the propositions respecting the army, but not having come to a conclusion, desire leave to sit again:

*Resolved*, That to-morrow morning Congress be resolved into a committee of the whole, to consider farther the propositions referred to them.

Adjourned to nine o'clock to-morrow.

#### SATURDAY, *March 28*, 1778.

A letter, of this day, from count Pulaski, was read.

Congress took into consideration a report of the 19th, from the board of war; Whereupon,

*Resolved*, That count Pulaski retain his rank of brigadier in the army of the United States, and that he raise and have the command of an independent corps to consist of 68 horse, and 200 foot, the horse to be armed with lances, and the foot equipped in the manner of light infantry: the corps to be raised in such way and composed of such men as gen. Washington shall think expedient and proper; and if it shall be thought by gen. Washington that it will not be injurious to the service, that he have liberty to dispense, in this particular instance, with the resolve of Congress against inlisting deserters.

A letter, of the 15th, from major-general Schuyler, at Albany, with a copy of the minutes of a conference held by the commissioners of Indian affairs of the northern department, with a number of Sachems and Warriors of the Six Nations at Johnston, the 7th of March, 1778; and a letter of the 16th, from Mr. Duane, were read:

*Ordered*, That the same be referred to the board of war.

The committee to whom were referred the petitions of William Bell and James Gallagher, brought in a report, which was read.

The committee to whom were referred the extract of gen. Washington's letter of the 27th of February, and the letter of the 6th of March, from William Patterson, attorney-general of New-Jersey, brought in a report:

*Ordered*, That the consideration thereof be postponed to Monday next.

Congress was resolved into a committee, and, after some time, the presi-



dent resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther consideration the propositions respecting the army referred to them, but not having come to a conclusion, desire leave to sit again :

*Resolved*, That this afternoon Congress be resolved into a committee of the whole, to consider farther the propositions respecting the army.

FOUR O'CLOCK, P. M.

A letter, of the 24th, from gen. Washington, and one, of the 26th, from Charles Lewis, colonel of the 14th Virginia regiment, desiring leave to resign his commission, were read :

*Resolved*, That the resignation of col. Charles Lewis be accepted.

Congress was resolved into a committee of the whole, and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther consideration the propositions respecting the army referred to them, and have made some farther progress therein, but not having come to a conclusion, desire leave to sit again :

*Resolved*, That on Monday Congress be resolved into a committee of the whole, to consider farther the propositions respecting the army.

Adjourned to nine o'clock on Monday.

MONDAY, *March 30, 1778.*

Congress being informed that col. Wadsworth is arrived in town, and waits the orders of Congress :

*Resolved*, That a committee of four be appointed to confer with him, and enquire whether he will undertake the office of commissary-general of purchases : the members chosen, Mr. Gerry, Mr. Clark, Mr. Lee and Mr. Dyer.

At the request of Mr. Dyer and Mr. Clark,

*Ordered*, That they be excused from serving as members of the board of treasury, and that two others be elected in their room : the members chosen, Mr. Wolcott and Mr. Scudder.

Congress proceeded to the appointment of an auditor of accounts in the northern district, in the room of Mr. Henderson, and a commissioner of accounts at the board of treasury, in the room of Mr. Benezet ; and Peter Boyer, esq. was appointed one of the auditors of accounts in the northern district ; and William Denning, esq. was appointed one of the commissioners of accounts at the board of treasury.

A letter, of the 4th, and one, of the 6th, from A. Gillon, were read :

*Ordered*, That they be referred to the committee of commerce, and that they report thereon.

*Resolved*, That a committee of three be appointed to prepare instructions to the commissioners appointed by gen. Washington to negotiate a cartel for the exchange of prisoners : the members chosen, Mr. Chase, Mr. Dana, and Mr. Duer.

A report from the board of war was read, relative to count Pulaski's corps :

*Resolved*, That the same be referred to the committee at camp, and that they be authorized to consult with gen. Washington and brigadier Pulaski respecting the appointment of officers for that corps, and to act thereon as they judge proper and expedient.

A petition from lieutenant James Berwick was read :

*Ordered*, That his account for services done in capacity of judge-advocate of a general court-martial held at Lancaster, from the 4th of February to the 22d of March, be paid.

Mr. Drayton, a delegate from South-Carolina, attended and produced the credentials of the appointment of delegates from that state, which were read, and by which it appears that the hon. Henry Laurens, William Henry Dray-

ton, John Matthews, Thomas Heyward, and Richard Hutson, esqrs. are duly elected to represent that state in the Congress of the United States.

The committee appointed to prepare instructions for the commissioners for settling a cartel, brought in a report, which was taken into consideration, and agreed to as follows :

Whereas, Congress concur in opinion with gen. Washington, that there are some ambiguities characterizing the measures taken by gen. Howe, respecting gen. Lee, which justify alarming surmises, notwithstanding all that has passed to the contrary :

*Resolved*, That gen. Washington be informed that it is the intention of Congress that it should be a preliminary in the proposed cartel for a general exchange of prisoners, that major-gen. Lee be absolutely exchanged for major-gen. Prescott, and if refused, that no exchange take place till the further order of Congress :

That it be proposed to exchange lieutenant-colonel Ethan Allen for lieutenant-colonel Campbell, or lieutenant-colonel Anstruther, and, if not acceded to, that lieutenant-colonel Campbell be sent back to the state of Massachusetts-Bay :

That gen. Washington be further directed to instruct the commissioners to be careful not to contravene, in settling the proposed cartel, any of the resolutions of Congress, particularly that of the 30th of December, respecting such of the citizens of these states as may voluntarily join the enemy, and be taken in arms against these states :

That, if the enemy will not consent to exempt citizens from capture, agreeably to the law of nations, the commissioners be instructed positively to insist on their exchange, without any relation to rank :

That gen. Washington be directed not to permit any article of the proposed cartel to be finally concluded without his express approbation, and that the president be directed to inform him accordingly.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 20,000 dollars, advanced upon the application of the said board, for the purpose of paying col. Hartley's regiment, three months' pay ; for an advance to Christopher Ludwig, superintendent of bakers ; and for contingent expenses of the board ; the said pay-master to be accountable :

That a warrant issue on the treasurer in favor of Mr. N. Folsom, delegate from the state of New-Hampshire, for 500 dollars advanced upon his application, and to be charged to the said state :

That a warrant issue on the treasurer in favor of W. Palfrey, esq. pay-master general, for 500,000 dollars, for the use of his department ; he to be accountable, and that it be transmitted to him by Joseph Nourse, pay-master to the board of war and ordnance :

That a warrant issue on the treasurer in favor of the president and council of the state of Pennsylvania, for 30,000 dollars, to be by them put into the hands of proper persons, for the purpose of purchasing horses in the said state, for the use of the army of the United States ; the said state to be accountable :

That a warrant issue on Thomas Smith, commissioner of the continental loan-office in the state of Pennsylvania, for 50,000 dollars, in favor of the president and council of the said state, to be by them put into the hands of proper persons, for the purpose of purchasing horses in that state, for the use of the army of the United States ; the said state to be accountable.

The committee to whom the report of the board of war, relative to captain Ebenezer Sullivan was referred, brought in a report ; Whereupon,

*Resolved*, That in consideration of the peculiarity of capt. Ebenezer Sul-

livan's case, he be allowed his pay and rations during the time he has been in captivity, and his pay while he shall continue a prisoner of war, any thing in the resolution of Congress of the 19th of January last to the contrary notwithstanding:

That it be referred to the board of treasury to adjust the accounts of capt. Sullivan, and make him such compensation for his losses and extraordinary trouble as they shall deem equitable.

Adjourned to nine o'clock to-morrow.

**TUESDAY, March 31, 1778.**

A letter from Mr. Wilkinson was read, desiring leave to resign his office of secretary to the board of war:

*Resolved*, That his resignation be accepted, and that his letter be returned as improper to remain on the files of Congress.

A petition from H. Zedwitz was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 9th of January, from John Peck Rathbun, was read; also, one from col. B. Tupper:

*Ordered*, That they be referred to the marine committee.

A letter, of the 27th, from col. E. Blaine, deputy commissary-general of purchases, was read:

*Ordered*, That it be referred to the board of treasury.

A letter of the 26th of February, from D. Gottineau, captain of the ship Ferdinand, at Cape Lookout, North-Carolina, with an invoice of her cargo, was read:

*Resolved*, That the committee of commerce be authorized, after a conference with the board of war and the marine committee, to purchase such articles of the cargo as they shall deem expedient for the public service.

*Ordered*, That the letter be referred to a committee of three: the members chosen, Mr. Duer, Mr. Chase, and Mr. F. L. Lee.

The committee of commerce, to whom was referred the letter from Mr. Gillon, brought in a report; Whereupon,

*Resolved*, That, as Mr. Gillon hath accepted of an appointment to command the navy of the state of South-Carolina, and Congress have empowered their commissioner at Paris to appoint agents to transact the commercial affairs of these states, it is inexpedient to proceed upon his contract.

Congress was resolved into a committee of the whole, and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther consideration the propositions relative to the army, but not having yet come to a conclusion, desire leave to sit again:

*Resolved*, That Congress, this afternoon, be resolved into a committee of the whole, to consider farther the propositions relative to the army.

**FIVE O'CLOCK, P. M.**

Congress was again resolved into a committee of the whole, to consider farther the propositions relative to the army, and, after some time, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther consideration the propositions to them referred, and having come to a conclusion thereon, he was ready to report:

*Ordered*, That the consideration of the report be postponed till to-morrow.

Adjourned to nine o'clock to-morrow.

**WEDNESDAY, April 1, 1778.**

A letter, of the 26th of March, from general Green, quarter-master general, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of March the 7th, from Moses Emerson, was read, informing that he accepts the appointment to the office of commissioner of accounts in the middle district.

A letter, of March the 21st, from col. D. Mason, was read :

*Ordered*, That it be referred to the board of treasury.

A letter, of March the 11th, from major De Bois, at Albany, was read :

*Ordered*, That it be referred to the board of war.

Congress took into consideration the report of the committee of the whole Congress, respecting an establishment or allowance to officers after the war :

After debate it was agreed, that amendments be moved and made in the report, but that, after the amendments are made and the report gone through, the whole report, as amended, shall be open to debate, whether it shall be adopted by Congress or be sent to the states, and their opinion taken, previous to the final determination of Congress.

FOUR O'CLOCK, P. M.

*Ordered*, That a warrant issue on the treasurer in favor of count Pulaski, for 10,000 dollars, for the purpose of purchasing horses and recruiting his corps.

A letter, of March the 29th, from gen. Washington, was read :

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the report of the committee of the whole ; Whereupon,

It was moved, that the report be entered on the journal ;

To which the previous question was moved, and the yeas and nays being required,

<i>New-Hampshire</i> , Mr. Folsom,	no	} no	<i>Pennsylvania</i> ,	Mr. James Smith,	ay	} ay
<i>Massa'sts-Bay</i> , Mr. Gerry,	ay	} ay	<i>Delaware</i> ,	Mr. M'Kean,	ay	} ay
	Lovell,	ay	<i>Maryland</i> ,	Mr. Chase,	ay	} ay
	Dana,	no		Forbes,	ay	} ay
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Henry,	no	} no
<i>Connecticut</i> , Mr. Dyer,	no	} no	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	} ay
	Huntington,	no	<i>N.-Carolina</i> ,	Mr. Burke,	ay	} ay
	Wolcott,	no	<i>S.-Carolina</i> ,	Mr. Drayton,	no	} no
<i>New-York</i> , Mr. Lewis,	ay	} ay		Laurens, <i>dec'd answer's</i> .		
	Duer,	ay	<i>Georgia</i> ,	Mr. Langworthy,	ay	} ay
<i>New-Jersey</i> , Mr. Clark,	no	} no				
	Scudder,	no				

So it was resolved, that the main question be put.

The main question being then put, and the yeas and nays required,

<i>New-Hampshire</i> , Mr. Folsom,	no	} no	<i>Pennsylvania</i> ,	Mr. James Smith,	ay	} ay
<i>Massa'sts-Bay</i> , Mr. Gerry,	ay	} ay	<i>Delaware</i> ,	Mr. M'Kean,	ay	} ay
	Lovell,	no	<i>Maryland</i> ,	Mr. Chase,	ay	} ay
	Dana,	no		Forbes,	ay	} ay
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Henry,	no	} no
<i>Connecticut</i> , Mr. Dyer,	no	} no	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	} ay
	Huntington,	no	<i>N.-Carolina</i> ,	Mr. Burke,	ay	} ay
	Wolcott,	no	<i>S.-Carolina</i> ,	Mr. Drayton,	no	} no
<i>New-York</i> , Mr. Lewis,	ay	} ay		Laurens, <i>dec'd answer's</i> .		
	Duer,	ay	<i>Georgia</i> ,	Mr. Langworthy,	ay	} ay
<i>New-Jersey</i> , Mr. Clark,	no	} no				
	Scudder,	no				

So the states were equally divided and the question lost.

Adjourned to nine o'clock to-morrow.

THURSDAY, April 2, 1778.

A letter, of the 1st, from gen. Armstrong, at Carlisle, was read.

A report from the board of war, was read, respecting the employing a conductor to take charge of the wagons to be sent to the southward :

*Ordered*, That the committee of commerce and the marine committee be directed to confer with the board of war on the subject of the said report, and take such measures on the premises as they shall deem expedient.

*Ordered*, That three members be added to the committee appointed to confer with col. Wadsworth: the members chosen, Mr. Drayton, Mr. Scudder, and Mr. Banister.

The report from the committee of the whole was called for ; Whereupon, a question was moved,

That the consideration of the said report be postponed, and the yeas and nays being required,

<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} ay	<i>Pennsylvania</i> , Mr. Roberdeau,	ay	} ay
Lovell,	ay		James Smith,	ay	
Dana,	ay		<i>Maryland</i> , Mr. Chase,	ay	} ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	Forbes,	ay	
<i>Connecticut</i> , Mr. Dyer,	ay		Henry,	ay	
Huntington,	ay	} ay	<i>Virginia</i> , Mr. F. L. Lee,	ay	} +
Wolcott,	ay		Banister,	ay	
<i>New-York</i> , Mr. Lewis,	ay	} ay	<i>N.-Carolina</i> , Mr. Burke,	ay	} ay
Duer,	ay		<i>S.-Carolina</i> , Mr. Laurens,	no	
<i>New-Jersey</i> , Mr. Clark,	ay	} ay	Drayton,	no	} no
Scudder,	ay		<i>Georgia</i> , Mr. Langworthy,	ay	

So it was resolved in the affirmative.  
Adjourned to nine o'clock to-morrow.

FRIDAY, April 3, 1778.

A paragraph of a letter, of March 25th, from the navy board at Borden-town, to the marine committee, was laid before Congress :

*Ordered*, That it be referred to the board of war.

A letter, of March 21st, from gen. Washington, enclosing a copy of a letter to him from Dr. Rush, dated Princeton, February 25th, was read ; also a letter of March 9th, with a postscript of the 19th, from Dr. Rush to Mr. Roberdeau, was laid before Congress :

*Ordered*, That the said letters be referred to a committee of three :

That the committee be directed to enquire into the charges contained in Dr. Rush's letters against Dr. Shippen, and into the conduct of Dr. Shippen as director-general of the hospital, and report specially to Congress :

That the committee be authorized to send for such persons and papers as they may judge necessary, and allow the reasonable and necessary expenses of the witnesses attending this business : the members chosen, Mr. Drayton, Mr. Huntington, and Mr. Banister.

*Resolved*, That Mr. Langworthy be appointed a member of the marine committee.

FOUR O'CLOCK, P. M.

The committee appointed to confer with Mr. Wadsworth, brought in a report, which was read.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer, in favor of the pay-master of the board of war and ordnance, on the application of that board, for 7000 dollars, for the use of col. Sheppard's and capt. Kingsbury's corps ; for which the said pay-master is to be accountable :

That a warrant issue on the treasurer for 1000 dollars, in favor of Mr. E. Dyer, upon his application ; and that the same be charged to the state of Connecticut.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to lieut. James Berwick, for his services acting as judge-



advocate at a court-martial held at Lancaster, from February the 4th to March the 22d, 1778, the sum of 235 dollars, and for his expenses in that town, from March the 22d to this day, the sum of 30 dollars, making together the sum of 265 dollars:

To capt. Ebenezer Sullivan, for pay from January the 1st, 1777, to the 1st inst. and 42 days' rations, deducting the sum of 120 dollars, received from major-general Heath, a balance of 494 dollars:

*Ordered*, That the said accounts be paid.

The committee on the treasury, to whom the case of capt. E. Sullivan referred, report, "that they have examined his account of expenses in support of a party of troops commanded by major Sherburn, in their march from John's to St. Ann's, amounting to 11 dollars, and considered his loss of 25 dollars of public money, which, by affidavit, he declares were taken from him by the enemy, and are of opinion, that the said sums, together with a farther sum of 750 dollars, making in the whole, 1011 dollars, should be paid to him, in full compensation of his services and sufferings as a leader of the troops taken by the enemy at the Cedars, in May, 1776:"

*Ordered*, That the said sum be paid.

The committee on the treasury brought in a farther report: Whereupon,

*Ordered*, That a warrant issue on the treasurer, in favor of Mr. Lee, delegate from the state of North-Carolina, for the sum of 1500 dollars advanced on his application, and that the same be charged to the state of North-Carolina.

Congress took into consideration the report of the committee appointed to confer with Mr. Wadsworth, and after debate,

*Resolved*, That the farther consideration thereof be postponed till the committee sent to camp return.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer for 200,000 dollars to the credit of William Buchanan, esq. commissary-general of purchases, for the middle district; the said commissary-general to be accountable.

A report from the board of war was read; after debate,

*Ordered*, That it be referred to a committee of three: the members to be Mr. J. Smith, Mr. Clark and Mr. Henry.

*Ordered*, That Mr. Dyer have leave of absence.

A letter, of the 21st, and one of March the 24th, from major-general Heath, were read.

Adjourned to nine o'clock to-morrow.

### SATURDAY, April 4, 1778.

A motion was made, that on Monday next Congress be resolved into a committee of the whole to consider the situation of the affairs of the United States:

Whereupon, it was moved, that the consideration of this motion be postponed; and the yeas and nays being counted

<i>Massachusetts-Bay</i> ,	Mr. Dana,
	Lovell,
<i>Rhode-Island</i> ,	Mr. Ellery,
<i>Connecticut</i> ,	Mr. Huntington
	Wolcott,
<i>New-York</i> ,	Mr. Lewis,
	Duer,
<i>New-Jersey</i> ,	Mr. Clark,

So-it was resolved in the

A report from the board

*Resolved*, That Daniel a shall not be held to make an

That it be referred to the commissioners of claims to settle the accounts of Daniel and Samuel Hughes against the United States, agreeably to their contract:

That the board of war and ordnance be directed to report to Congress such an allowance per ton as they shall deem sufficient to ensure a reasonable profit on all the cannon which Daniel and Samuel Hughes have cast, and which have sustained or shall sustain due proof, as well those that have not, as those that have been delivered according to contract:

That the board of war and ordnance be authorized to enter into a contract with Messrs. Daniel and Samuel Hughes, for such a number of battering cannon and mortars, and such quantity of shot and shells, as they shall deem necessary for the public service.

A report from the board of war, relative to count Pulaski's corps, was read:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Duer, Mr. Drayton and Mr. Dana.

*Resolved*, That the 15 men inlisted and lately brought to Yorktown by capt. Scott, be annexed to col. Hartley's regiment, and that capt. Scott and the subalterns of the said company be dismissed.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the continental loan-office in the state of Massachusetts-Bay, in favor of the marine committee, for 40,000 dollars; one other warrant in their favor for 30,000, dollars, on John Lawrence, esq. commissioner of the continental loan-office in the state of Connecticut; and one other warrant for 30,000 dollars in their favor, on Nicholas Gilman, esq. commissioner of the continental loan-office in the state of New-Hampshire; for which sums the said marine-committee is to be accountable, the same being advanced on their application for the use of the navy-board in the eastern department.

*Resolved*, That one million of dollars be emitted under the direction of the treasury board, and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 5th of March last, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations, viz.

15,384 bills of 3 dollars,	46,152	15,385 bills of 2 dollars,	30,770
15,384 do of 4 do	61,536	15,385 do of 8 do	123,080
15,384 do of 5 do	76,920	15,385 do of 30 do	461,550
15,384 do of 6 do	92,304		
15,384 do of 7 do	107,688		
			<hr/> 1,000,000

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the emission directed on the 10th of May last, shall extend to the one million to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

The committee to whom the report of the board of war was referred, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That gen. Washington be empowered, if he shall deem it necessary, to call upon the states of Maryland, Pennsylvania and New-Jersey, for 5000 of their militia, in such proportions from the respective states as he shall think proper; to remain in service for such time as general Washington shall recommend; the said militia to be armed and accoutred by the respective states to which they belong, to whom it is earnestly recommended to use every exertion in complying with the general's request.

Adjourned to nine o'clock on Monday.

MONDAY, April 6, 1778.

Whereas col. Hartley has represented, that it will be necessary for the public service that he should have liberty to retain one of the subalterns in captain Scott's company for some few days :

*Resolved*, That col. Hartley have power to retain the subaltern as long as he shall judge it necessary for the public service.

Mr. Joseph Reed, a delegate from Pennsylvania, attended and testified.

A letter, of the 3d, from major Clark, one of the auditors of accounts of the camp; one of this day, from W. Buchanan, esq. commissary-general of purchases; and one of March 30th, from Messrs. Reed and Munn, met the committee at camp, were read :

*Ordered*, That they be referred to the board of treasury.

A letter, of the 1st, from gen. Washington, was read :

The committee on the treasury brought in a report ; Whereas,

*Ordered*, That a warrant issue on the treasurer in favor of colonel James Davis, deputy quarter-master general, for 30,000 dollars, for the use of his department, and charged to major-gen. Green, quarter-master general.

That a warrant issue on the treasurer in favor of the committee of commerce, for 2500 dollars, to enable them to pay a draught of Levin Galtson and Abraham Livingston, continental agents at Charleston, to said committee to be accountable :

That a warrant issue on the treasurer in favor of lieutenant James Peale for the sum of 26,068 dollars, in discharge of the following bills, drawn by Thomas Reed, assistant to the pay-master general, two of them in favor of Thomas Smith, and by him endorsed to the said J. Peale, dated the 3d, 1778, one for 4482 dollars, and one for 8940, amounting to 13,422 dollars; two others in favor of the said James Peale, viz. one for 338 dollars for 9255 dollars, making 12,646 dollars; the whole amounting to 39,068 dollars; for which sum the pay-master general is to be accountable :

That a warrant issue on the treasurer in favor of James Munn, clothier-general, for 50,000 dollars :

That another warrant issue on Thomas Smith, esq. commissioner of the continental loan-office in the state of Pennsylvania, in favor of the clothier-general, for 100,000 dollars :

That another warrant issue on Joseph Clark, esq. commissioner of the continental loan-office in the state of Rhode-Island, in favor of the clothier-general, for 20,000 dollars; and that another warrant issue on Nathaniel Gilman, esq. commissioner of the continental loan-office in the state of Hampshire, in favor of the clothier-general, for 40,000 dollars, for the same sums, amounting, in the whole, to 210,000 dollars, advanced him out of his department.

*Resolved*, That the agent in Georgia, be dismissed.

The committee respecting brigadiers.

*Resolved*, That the listed and muster brigadier with the following, including the colonel.

For each troop of breeches, one con-

shoes, one pair of portmantle, picke-

The leather for the portmantle and pack-saddle to be furnished out of the public stores, by order of the board of war :

That, in order to enable brigadier Pulaski to raise and equip his legion with the utmost despatch, the board of treasury be authorized and directed to advance, on the application of the board of war, a sum of money not exceeding 50,000 dollars, to be by the board of war advanced, from time to time, to brigadier Pulaski, on account of his legion :

That, if any of the states in which brigadier Pulaski shall recruit for his legion, shall give to persons inlisting in the same for three years, or during the war, the bounty allowed by the state in addition to the continental bounty, the men so furnished not being inhabitants of any other of the United States, shall be credited to the quota of the state in which they shall be inlisted.

A letter, of March the 26th, from gov. Henry, of Virginia ; one, of March the 20th, from Thurmer Hoggard, of Princess Ann, Virginia ; and one, of March the 20th, from Maxwell and Loyal, were read :

*Ordered*, That they be referred to the marine committee, who are directed to report thereon.

Congress resumed the consideration of the report of the committee of the whole, respecting the affairs of Roderique Hortales & Co. and, after some time spent thereon,

*Resolved*, That the further consideration thereof be postponed till to-morrow.

Adjourned to nine o'clock to-morrow.

#### TUESDAY, April 7, 1778.

A letter, of March the 31st, from the commissioners sent to Fort-Pitt, with sundry papers enclosed ; also, a letter of the same date, from col. G. Morgan, with sundry papers enclosed, were read :

Amongst the papers enclosed is the following certificate, signed by the commissioners :

“ We, the commissioners for the western department, acting under authority of Congress, having, in obedience to our instructions, notice being first given to all the neighboring counties, proceeded to an enquiry into the conduct of col. George Morgan, agent for Indian affairs, and continued the same by adjournments from the 20th to the 26th inst. do, after the clearest and most satisfactory testimonies, wholly acquit the said colonel George Morgan of the charges against him, of infidelity to his public trust, and disaffection to the American cause ; and we testify that we are possessed of the knowledge of various facts and circumstances, evincing not only his attachment to that cause, but also an uncommon degree of diligence in discharging the duties of his employment, and of attention to the interests of the United States ; and therefore are of opinion he ought to be restored to the fullest confidence of his country.

SAMP. MATTHEWS,  
GEO. CLYMER,  
SAM. M'DOWELL.

*Pittsburgh, March 27, 1778.*

*Ordered*, That the letters from the commissioners and from col. G. Morgan, with the papers enclosed, be referred to a committee of three: the members chosen, Mr. F. L. Lee, Mr. J. B. Smith and Mr. Wolcott.

A letter, of the 3d, and one, of the 4th, from gen. Washington, also a letter of the 4th, from E. Boudinot, esq. commissary-general of prisoners, to the board of war, were read :

*Ordered*, That the two last be referred to a committee of three: the members chosen, Mr. Dana, Mr. Chase and Mr. Duer.

Congress took into consideration the letter of the Sd, from guard W.ington, and thereupon came to the following resolutions:

Whereas, capt. Henry Lee, of the light dragoons, by the whole tenor of his conduct during the last campaign, has proved himself a brave and gallant officer, rendered essential service to his country, and acquired to himself and the corps he commanded, distinguished honor; and it being the determination of Congress to reward merit,

**Resolved**, That captain H. Lee be promoted to the rank of major-commandant; that he be empowered to augment his present corps by ~~about~~ to two troops of horse, to act as a separate corps:

That lieut. Lindsey, of col. Bland's regiment, who served in the 1st regt. in capt. Lee's troop, during the campaign, be promoted to the rank of captain, and have the command of one of the troops under major Lee:

That Cornet Peyton, serving in the same manner, be promoted to that of captain-lieut. and have the command of the other troop under arms.

That the other officers be appointed by general Washington, under commissions from him accordingly.

A report from the board of war, relative to the propriety and expediency of exempting from militia duties persons employed in manufactures or business for the public service, was read:

Ordered, That it be referred to a committee of three: the members, Mr. J. B. Smith, Mr. Burke and Mr. Banister.

The committee on the treasury, to whom was referred the letter of the auditors in the army, brought in a report; Whereupon,

*Resolved*, That the board of treasury be authorized to determine the number of clerks that may be necessary, from time to time, for assisting the auditors of the army.

Congress resumed the report of the committee of the whole, ~~and~~  
following contract or instrument was agreed to:

"To all whom it may concern. Whereas, Roderique Hortales & Co. of Paris, have shipped, or caused to be shipped or laden, on board ships or vessels, considerable quantities of cannon, arms, ammunition, clothing, and other stores, most of which have been safely landed in America, and delivered to the agents of the United States, for the use and service thereof; and whereas, the said Roderique Hortales & Co. are willing and desirous to continue supplying these states with cannon, mortars, bombs, arms, ammunition, clothing, and every sort of stores, that may be wanted or required; and also with specie, provided satisfactory assumption be made and security given for the payment in France of the first cost, charges and freight of cargoes already shipped, as well as those to be hereafter shipped, and to be advanced: and whereas, some cargoes of American produce have already been shipped to the address of the said Roderique Hortales & Co., and assigns, for sale on account of the United States of America, the net proceeds whereof are to be applied in part discharge of their claims. Now knoweth that John Baptiste Lazarus Theveneau de Francey, agent of Peter Auguste Caron de Beaumarchais, as representative of the house of the said Roderique Hortales & Co. by him expressly authorized, has executed, signed, sealed, and put his hand and seal thereto, one thousand seven hundred and eighty five, at Paris, a certain contract, agree and a committee of commerce, of the United States, to execute, ratify and confirm the same, as follows:



1. That the costs and charges of the several cargoes already shipped by the said Roderique Hortales & Co. shall be fairly stated at the current prices and usual mercantile charges in France, of the dates at which they were shipped :

2. That the freight of the said cargoes shall be charged agreeably to the contract made by and between Mr. Beaumarchais and Mr. Silas Deane and Mr. Montieu :

3. That all orders for cannon, mortars, bombs, arms, ammunition, clothing or other stores, which may hereafter be transmitted to Messrs. Roderique Hortales & Co. or delivered to their agent in America by the said committee, or any other persons properly authorized by Congress to transmit or deliver such lists or orders, shall be executed and shipped with all possible despatch :

4. That all articles to be hereafter shipped for America, in virtue of this contract, shall be provided as nearly to the orders as possible, at not higher than the current prices, and attended with the most moderate charges, not higher than the usual mercantile charges of the place from whence they are exported :

5. That good ships shall be chartered or bought on the most moderate terms for transporting the stores to America, and carrying back such cargoes as the committees shall choose to ship in them :

6. That agents appointed under the authority of Congress shall have free liberty to inspect the quality and require the prices of all articles to be shipped for the account of the United States, with power to reject such as they judge unfit or too high charged ; they shall also be party in the charters and purchases of ships to be employed in this service :

7. That bills on the house of Roderique Hortales & Co. aforesaid, for 24,000,000 of livres tournois annually, shall be duly honored and paid, the bills to be drawn at double usance, and at the following periods, viz. in the months of May, July, September, November, January, and March, for 4,000,000 each two months.

In consideration whereof, the said commercial committee of Congress, by virtue of the powers and authorities to them delegated by the Congress, do, for and on behalf of the said United States, covenant, agree, and engage with the said Roderique Hortales & Co. by their agent, as follows :

1. That remittances shall be made by exports of American produce and otherways to the said Roderique Hortales & Co. or their agent, for the express purpose of discharging the debt already justly due or hereafter to become justly due in consequence of this agreement :

2. That all cargoes of merchandise shipped on account of the United States for France, and appropriated towards the discharge of the said debt, shall be addressed to the house of Roderique Hortales & Co. or their assigns, for sale ; subject, however, to the inspection and control of an agent appointed under the authority of Congress, who shall have liberty to inspect the quality of such merchandise, assent to or reject the prices offered, postpone the sales, and do every thing for the interest of his constituents :

3. That the customary interest of France, not exceeding six per centum per annum, shall be allowed on the debt already due, or that, from time to time, may be due to the said Roderique Hortales & Co. in virtue of this agreement, computing the interest of money from the time of its being paid, and on goods by them exported, from the usual periods of commercial credits on such goods :

4. That any payments of continental currency in America, required by the said Roderique Hortales & Co. or their agent, and agreed to by Congress, shall be computed at the current or equitable course of exchange at the date of the payment, and interest be discounted on the amount from that date :

5. That the remittances to be made for the purpose of extinguishing the debt now due or to become due to the said Roderique Hortales & Co. shall be made at such times and seasons as shall be most safe and convenient to the American interest, but are to continue until the entire debt, principal and interest, shall be fully and fairly discharged :

6. That a commission of 2½ per centum shall be allowed to the said Roderique Hortales & Co. on the amount of the invoices, freight or other charges and moneys paid and disbursed by them on account of the United States :

7. That the customary commissions in France shall be also allowed to the said Roderique Hortales & Co. on the amount of all payments made to them on account of the United States :

*Provided, always,* That the seventh article of this agreement, respecting the annual supply of 24,000,000 of livres, shall not be considered as absolutely binding upon either of the parties to this contract, unless the same shall be ratified by Roderique Hortales & Co. and the commissioners of the United States at Paris ; for which purpose it is agreed to be submitted to them, any thing herein contained to the contrary notwithstanding ; but it is nevertheless to be understood, that the United States may and shall have liberty to draw in the course of five or six months from the date hereof on the said Roderique Hortales & Co. for the sum of £ 100,000 sterling, or to 2,800,000 livres tournois, which shall be duly paid.

*Resolved,* That the committee of commerce be, and they are hereby empowered to execute the foregoing contract or instrument, on behalf of the United States of America, and that they make report, from time to time, of their proceedings therein.

In debating the foregoing contract, a motion was made to strike out "twenty-four," and insert "forty-eight," and the yeas and nays being required,

<i>Massachusetts-Bay,</i>	Mr. Gerry,	ay	} ay	<i>Maryland,</i>	Mr. Chase,	ay
	Dana,	ay			Forbes,	ay
	Lovell,	no			Henry,	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay	<i>Virginia,</i>	Mr. F. L. Lee,	ay
<i>Connecticut,</i>	Mr. Huntington,	no		<i>N.-Carolina,</i>	Mr. Burke,	ay
	Wolcott,	no	} no	<i>S.-Carolina,</i>	Mr. Laurens,	ay
<i>New-York,</i>	Mr. Duer,	ay			Drayton,	ay
<i>New-Jersey,</i>	Mr. Clark,	no	} no	<i>Georgia,</i>	Mr. Langworthy,	ay
	Scudder,	no				
<i>Pennsylvania,</i>	Mr. Roberdeau,	no	} no			
	Reed,	no				
	Smith,	no				

So it passed in the negative.

It was then moved to strike out twenty-four, and insert thirty, and the yeas and nays being required,

<i>Massachusetts-Bay,</i>	Mr. Gerry,	ay	} ay	<i>Maryland,</i>	Mr. Chase,	ay
	Dana,	ay			Forbes,	ay
	Lovell,	no			Henry,	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay	<i>Virginia,</i>	Mr. F. L. Lee,	ay
<i>Connecticut,</i>	Mr. Huntington,	no		<i>N.-Carolina,</i>	Mr. Burke,	ay
	Wolcott,	no	} no	<i>S.-Carolina,</i>	Mr. Laurens,	ay
<i>New-York,</i>	Mr. Duer,	ay			Drayton,	ay
<i>New-Jersey,</i>	Mr. Clark,	no	} div.	<i>Georgia,</i>	Mr. Langworthy,	ay
	Scudder,	ay				
<i>Pennsylvania,</i>	Mr. Roberdeau,	ay	} no			
	Reed,	no				
	J. B. Smith,	no				

So it passed in the negative.

Copy of the power given to John Baptiste Lazarus Thevenaz & Co. is as follows :

“ Before the counsellors of the king, the notaries of the court-house of Paris, undersigned, was present, Mr. Pierre Augustin Caron de Beaumarchais, representing in France the house of Roderique Hortales & Co. living in the city of Paris, in Old Temple-street, and parish of St. Gervais, who, by these presents, did make and constitute his procurator-general, Mr. John Baptiste Lazarus Theveneau de Francey, just about to embark for America, to whom he gives power, for, and in the name of the said house of Roderique Hortales & Co. to manage and administer all the affairs of the said house & Co. as well actively as passively ; and, in consequence, to solicit and recover all debts relative to all the cargoes past, present, and future, sent by the said house, to America ; to receive all moneys and make all purchases relative to the returns of the said cargoes, and to pay all expenses relative to them ; to settle all accounts with correspondents of the said house of Roderique Hortales & Co. whether upon invoices or otherwise ; to call, if necessary, for the reciprocal correspondence, registries and accounts current ; to debate the interest of said Constituent & Co. to allow the articles in the said accounts ; to close and settle them, and, by receipts of every kind, to give, by the said constituted procurator, all quittances, discharges, and valid liquidations, either for specie, merchandise, or produce ; and to accept all bills and orders drawn by him ; in default or refusal of settlement, and after settlement made, to do, in the name of the said Constituent & Co. all conservatory acts, pursuits, and necessary works ; to appear before all judges who may be concerned ; to present demands, and pursue them effectually to final judgment ; to treat, compose, and transact at the prices, charges, clauses, and conditions which the said constituted procurator shall judge most useful to the interest of the said Constituent & Co. to make all oppositions and arrests that shall be necessary in case of bodily restraint ; to carry it into execution ; to give discharge ; to consent to all things ; to stop processes ; to constitute procurators and lawyers in any cause ; to propose and agree to arbitrations and arbiters ; to choose his residence ; and, in general, to manage, for the greatest interest of the said Constituent and his house, whatever circumstances shall require, not provided for in these presents, and without having need of more special power ; the aforesaid Constituent promising to acknowledge all agreeable, until revocation of this power ; to which also shall be submitted, all treaties made, or to be made, with the said constituted procurator, whether anterior or posterior to these presents ; and the said constituted procurator being obliged, as is just, to render account of his mission the most exactly, faithfully, and legally, that may be. Made and passed at Paris, at the Studies, in the year one thousand seven hundred and seventy-seven, the tenth of September, and a minute of these presents lodged with Mr. Momet, one of the undersigned notaries, hath been signed :

“ [L. S.] Sealed the same day ;

“ DE MANFORT.

“ MOMET.

“ The above instrument was executed by a public officer in my presence.

“ S. DÉANE.”

Adjourned to nine o'clock to-morrow.

### WEDNESDAY, *April 8*, 1778.

A letter, of the 3d, from gen. Green, quarter-master general ; one, of the 7th, from Mr. R. Morris, at Manheim ; one, from the war-office in Massachusetts-Bay, dated 26th of March ; and one, of March 27th, from R. T. Paine, Oliver Ellsworth, and Henry Marchant, esqrs. commissioners appointed to enquire into the causes of the failure of the expedition against Rhode-Island, were read :

*Ordered*, That the letter from the war-office of Massachusetts-Bay, be re-

ferred to a committee of three: the members chosen, Mr. Dana, Mr. Burke, and Mr. Chase.

*Ordered*, That the letter from Messrs. Paine, Ellsworth, and Marchant, with the examinations by them taken, which accompany the letter, be referred to a committee of five: the members chosen, Mr. Drayton, Mr. Banister, Mr. Henry, Mr. Reed, and Mr. Duer.

A representation from the legislative council and assembly of New-Jersey, was read:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Reed, Mr. Dana, and Mr. Scudder.

The committee to whom were referred the proceedings of a convention of committees of the states of New-Hampshire, &c. to Pennsylvania, inclusive, together with a letter of the 30th of January last, from Thomas Cushing, esq. president of the convention, and sundry resolutions of the 19th of December last, from the state of North-Carolina, brought in a report, which was read:

*Ordered*, That the consideration thereof be postponed to Friday next.

Congress resumed the consideration of the report of the committee appointed to confer with col. Wadsworth, and after debate,

*Resolved*, That the same be re-committed, and that Mr. Reed and Mr. Dana be added to the committee who brought in the report, and that the committee be directed to confer farther with Mr. Wadsworth.

*Resolved*, That the officers, prisoners to the United States, who are ordered to Lancaster by the commissary of prisoners, for the purpose of being exchanged, be detained at Lancaster till the farther order of Congress.

Adjourned to nine o'clock to-morrow.

#### THURSDAY, April 9, 1778.

A letter, of March 24th, from Richard Varick, deputy muster-master general in the northern department, with sundry papers enclosed, was read:

*Ordered*, That the letter, with the papers enclosed, be referred to the board of war, who are directed to prepare and report a plan for rectifying and preventing the abuses mentioned in the said letter.

*Resolved*, That Saturday next be assigned for taking into consideration the propriety and necessity of Congress removing to some more suitable place, where the members can be accommodated and the public business transacted with more convenience than at York-town.

In consequence of an adjustment by the commissioners of claims, the auditor-general reports,

That there is due to Dr. Jonathan Dayton, for his attendance and medicine for 34 prisoners of war, who were under his care, by order of brigadier Maxwell, the sum of 211 27.90 dollars:

*Ordered*, That the said account be paid.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of James McClelland, for the use of col. George Morgan, for 4000 dollars, to answer a requisition from brigadier Hand, for building armed boats on the Ohio; col. Morgan to be accountable:

That a warrant issue on the treasurer in favor of col. John Cox, assistant quarter-master general, for the sum of 1,250,000 dollars, for the use of the quarter-master general's department: that another warrant issue on Thomas Smith, esq. commissioner of the continental loan-office, in the state of Pennsylvania, in favor of the said col. John Cox, for the sum of 300,000 dollars, for the use of the same department; and that both the foregoing sums, amounting to 1,550,000 dollars, be charged to major-general Green, quarter-master general, who is to be accountable:

That a warrant issue on the treasurer in favor of col. John Cox, for 33,000 dollars, to enable him to pay for a quantity of dried clams, which he was requested to purchase by the committee of Congress at camp, and that William Buchanan, esq. commissary-general of purchases, be charged with the same, and furnished with a copy of this order.

The marine committee, to whom was referred the letter from Benjamin Tupper, of March 19th last, brought in a report; Whereupon,

*Resolved*, That a copy of the said letter be transmitted to Isaac Smith, Ebenezer Stover and William Philips, esqrs. of Boston, who are commissioners appointed by the marine committee, to settle and adjust the accounts of prizes with the agents appointed by gen. Washington, &c. and to require the said agents to pay the several proportions justly due to the captors, &c.

The said committee, to whom was referred the letter of Thurmer Hoggard, brought in a report; Whereupon,

*Resolved*, That it be referred to Messrs. Maxwell and Loyal, superintendents, and to David Stoddard, master-builder of the continental frigates, building in Virginia, to consider and report their opinion to the marine committee, whether an allowance, and, if any, what allowance should be made to Thurmer Hoggard, for the frame furnished by him for one of the said frigates, over and above the price originally stipulated, and in like manner to consider and report their opinion with regard to the frame of the other frigate agreed to be furnished by Thomas Talbut, deceased, to whom the said Hoggard is executor.

The committee appointed to confer with Mr. Wadsworth, and to whom their former report was re-committed, brought in another report; Whereupon,

The following questions were moved:

1. Whether Mr. Wadsworth, for discharging the duties of commissary-general of purchases, shall be allowed half per cent. on all the moneys which shall be by him received and expended for the use of his department?

2. Whether the deputy-commissaries to be appointed by Mr. Wadsworth, shall be allowed half per cent. on all moneys by them respectively received and paid to the purchasing commissaries under them in their respective districts?

3. Whether the purchasing commissaries shall be allowed two per cent. for the moneys which shall be by them respectively received and expended in the purchase of provisions for the army, pursuant to the orders of Mr. Wadsworth or his deputies?

And the yeas and nays being taken on these questions severally:

<i>Massa's-Bay</i> , Mr. Dana,	ay	} ay	<i>Maryland</i> ,	Mr. Chase,	ay	} ay
Gerry,	ay			Forbes,	ay	
Lovell,	ay			Henry,	ay	
<i>Rhode-Island</i> , Mr. Ellery	ay	} ay	<i>Virginia</i> ,	Mr. Banister,	ay	} *
<i>Connecticut</i> , Mr. Huntington,	ay		<i>N.-Carolina</i> ,	Mr. Burke,	no	
Wolcott,	ay	} ay	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	} ay
<i>New-York</i> , Mr. Duer,	ay			Drayton,	ay	
<i>New-Jersey</i> , Mr. Scudder,	no	} no	<i>Georgia</i> ,	Mr. Langworthy,	ay	} ay
<i>Pennsylvania</i> , Mr. Reed,	ay					
J. B. Smith,	no	} div.				

So they were resolved in the affirmative.

Congress proceeded to the election of a commissary-general of purchases, and, the ballots being taken, Jeremiah Wadsworth, esq. was unanimously elected.

*Ordered*, That the consideration of the report be postponed till to-morrow. Adjourned to nine o'clock to-morrow.

FRIDAY, April 10, 1778.

A letter, of the 2d, from capt. James Nicholson, to the marine committee



was read, informing them of the loss of the Virginia frigate, on the 31st of March :

*Ordered*, That it be referred to the committee of intelligence.

A letter, of this day, from W. Buchanan, late commissary-general, was read :

*Ordered*, That it be referred to the board of war.

A letter, of the 8th, from brigadier Smallwood, with sundry papers enclosed, relative to the taking into custody Thomas White and Charleston, in pursuance of an act of Congress, was read :

*Ordered*, That the same be referred to a committee of three: the members chosen, Mr. Chase, Mr. Reed and Mr. Drayton.

*Resolved*, That a committee of three be appointed to confer with W. Buchanan, esq. respecting his continuance in office, until col. Wadsworth shall be able to enter on the business: the members chosen, Mr. Dana, Mr. Scudder and Mr. Chase.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on Joseph Borden, esq. commissioner of the loan-office in the state of New-Jersey, in favor of that state, for 1000 dollars, advanced for the purpose of paying their militia; the said warrant to be accountable :

That a warrant issue on the treasurer in favor of the delegates of the state of Virginia, for 33,333 1-3d dollars, to be by them transmitted to his excellency Patrick Henry, to reimburse £ 10,000, Virginia currency, which was advanced for purchasing provisions for the grand army; the said warrant to be accountable :

That a warrant issue on the treasurer in favor of Moses Young, assistant pay-master to the board of war and ordnance, for 15,000 dollars; which is for the purpose of defraying the expenses of building boats on the Susquehanna, and 5000 towards paying off col. Rawling's old regiment, which was charged to Joseph Nourse, pay-master, who is to account for the same :

The committee appointed to prepare a letter in answer to gen. Washington's letter of the 4th, brought in a draught, which was read.

FOUR O'CLOCK, P. M.

Congress took into consideration the draught of a letter in answer to gen. Washington's letter of the 4th, and some progress being made therein,

Adjourned to nine o'clock to-morrow.

SATURDAY, April 11, 1778.

A letter, of the 2d, from gov. Henry, of Virginia, was read, containing instructions to Mr. Hawkins, whom he has appointed to purchase in the west and meat for the army :

*Ordered*, That the same be referred to a committee of three: the members chosen, Mr. Lee, Mr. Drayton and Mr. Scudder.

*Ordered*, That Mr. Reed have leave of absence for a few days, to return to his family to a place of

*Ordered*, That col. Mifflin be put to attend Congress, and proper provision be made from each member his

*Ordered*, That Mr.

A letter, of the 2d,

A letter, of the 3d,  
was read :

**Ordered,** That it be re-committed, and that the committee be instructed to prepare a letter to the state of Delaware, acquainting them of the grounds on which Congress proceeded in their late order to brigadier Smallwood, to seize Thomas White, Charles Gordon, &c.

*Resolved*, That the board of war be directed forthwith to employ proper persons accurately to examine the river Susquehanna and its several fords from the mouth to Harris's Ferry, and to report their opinion to the board, which of the fords it would be most advisable to secure, and which wholly to obstruct, and at what places the boats on the river can be best secured; and the board are directed to give the necessary orders, and take the most effectual measures to secure the several passes and fords on the river, and to procure a survey of Octorara, Pequea and Conestoga creeks.

*Resolved*, That to-morrow be assigned for electing a secretary to the board of war and ordnance.

*Resolved*, That the commissioners of the United States in France be authorized to determine and settle with the house of Roderique Hortales & Co. the compensation, if any, which should be allowed them on all merchandise and warlike stores, shipped by them for the use of the United States, previous to the 14th day of April, 1778, over and above the commission allowed them in the 6th article of the proposed contract between the committee of commerce and John Baptiste Lazarus Theveneau de Francey.

Congress resumed the consideration of a draught of a letter in answer to a letter of the 4th, from gen. Washington, and some progress being made therein,

*Ordered*, That the farther consideration thereof be postponed to the afternoon.

FOUR O'CLOCK, P. M.

Mr. Richard Hutson, a delegate from South-Carolina, attended and took his seat:

The delegates of Pennsylvania, to whom were referred the letter from col. Hartley, and representation from the board of war, report a resolution of the general assembly of Pennsylvania, granting, agreeably to the proposal of Congress, permission to col. Hartley to enlist men for his battalion within that state, and allowing the men, so recruited, the bounty granted by the state to soldiers enlisted for their regiments, the men to be considered as a part of the quota of the said state.

The committee appointed to revise the rules and orders for the conduct of business in Congress, brought in a report.

Congress resumed the consideration of the letter in answer to gen. Washington's letter of the 4th, and sundry amendments being made, the letter was approved:

*Ordered*, That a copy be made out, and that the same be signed by the president, and transmitted to the general.

A motion was made, that it be declared in the letter that Congress cannot consent to any exchange on parole, and have therefore ordered the officers in our hands to wait the settlement of a general cartel:

The yeas and nays being required,

<i>Massachusetts-Bay</i> , Mr. Dana,	no	} no	<i>Maryland</i> ,	Mr. Chase,	ay	} det.
Gerry,	no			Forbes,	no	
Lovell,	no		<i>N.-Carolina</i> ,	Mr. Burke,	no	
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	<i>S. Carolina</i> ,	Mr. Laurens,	no	} no
<i>Connecticut</i> , Mr. Huntington,	no			Drayton,	no	
<i>New-York</i> , Mr. Duer,	no		<i>Georgia</i> ,	Mr. Langworthy,	no	
<i>New-Jersey</i> , Mr. Scudder,	no	} no				
<i>Pennsylvania</i> , Mr. J. B. Smith,	no					
James Smith,	no					

So it passed in the negative.

*Resolved*, That the prisoners who are detained at Lancaster, be sent forward, agreeably to the orders given by the commissary-general of prisoners.  
Adjourned to nine o'clock to-morrow.

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TUESDAY, *April* 14, 1778.

A letter, of the 9th, from the board of war, enclosing sundry affidavits relative to the flag stopped at Lancaster, was read :

*Ordered,* That the same be referred to a committee of three : the members chosen, Mr. Duer, Mr. Drayton, and Mr. J. B. Smith.

The committee to whom were referred sundry letters from gen. Howe to gen. Washington, brought in a report :

*Ordered,* That it be re-committed to the foregoing committee :

A memorial from the general assembly of Pennsylvania, relative to forts built in the county of Westmoreland and provisions laid up there, was read :

*Ordered,* That it be referred to the board of war.

Congress resumed the consideration of the report of the committee appointed to confer with Mr. Wadsworth ; Whereupon,

*Resolved,* That the commissary-general of purchases have full power to appoint and remove every officer in his department :

That the commissary-general shall, from time to time, as the service may require, visit the armies and posts of the United States, and be subject to the orders of the commander in chief :

That the commissary-general shall not be obliged to reside at the place where Congress sit, but he shall there keep an office, to which all general returns in his department shall be made, and which shall be under the inspection and direction of the board of war ; every officer necessary to that office being daily allowed one ration of provisions, office rent, fire-wood, candles, paper, wax, wafers and quills, being furnished at the expense of the United States :

That the commissary-general, or his clerk at the office of general returns, shall receive from the treasury, by warrant in the usual manner, all sums of money necessary for the service of his department, and shall be entitled to receive one half per cent. on all sums by him paid to the deputy-commissaries-general for the public service, who, in their respective districts, shall furnish the necessary sums of money to the purchasing commissaries in such districts : each deputy commissary-general shall be entitled to receive one half per cent. upon all sums of money by him paid to the purchasing-commissaries in his district ; and also three rations of provision when in camp : each purchasing-commissary shall be entitled to receive a commission, not exceeding two per cent. upon all sums of money by him laid out in the discharge of his office : and the commissary-general and his deputies shall be allowed forage for their horses, when at any post where there is forage for the service of the United States, and shall have their horses shod at any shop belonging to the United States :

That money for the use of the commissary-general's department, shall be transmitted from the commissary-general's office to the respective deputy commissaries-general, and expresses sent on the necessary business of that department at the expense of the United States.

That it be recommended to the governments of the several states to exempt from militia duties all persons, who are, bona fide, engaged in the commissary-general's department :

That the commissary-general shall appoint an assistant to reside at headquarters, under the orders of the commander in chief : the assistant shall be entitled to receive a daily pay of five dollars, an allowance of rations, two for himself and one for his servant, forage for two horses, which shall be shod at the expense of the United States :

That the commissary-general, the deputy commissaries-general, and the purchasing-commissaries respectively, shall provide teams and drivers for transporting provisions at the expense of the United States, when teams and drivers for such services cannot, in due time, be obtained from the quarter-master general's department :

That the commissary-general shall assign to the several purchasing commissaries, their respective districts for the sphere of their purchases, and which they shall not make any purchase for the United States, nor in which they shall give any encouragement for the bringing any commodities from any other purchasing-commissary's district, unless thereto expressly authorized by the commissary-general or deputy commissary-general of the district:

That each purchasing-commissary, upon his entrance into office, shall take an oath before some magistrate, "that he will not directly or indirectly take any measure, nor cause or countenance any to be taken, to raise the price of any articles within the view of the commissary-general's department; that he will use his best skill and judgment in purchasing, on the most reasonable terms, on account of the United States, and that he will give to the commissary-general, from time to time, the earliest information of such frauds and abuses in his department as shall come to his knowledge; and the affidavit so taken shall be returned to the purchasing-commissary-general, and by him lodged in the war-office:

That all persons in the commissary-general's department shall keep a list of parcels for all the articles by them respectively purchased, receive the monies by them respectively paid, and receipts for all articles delivered, to be produced as necessary vouchers at their several settlements:

That the purchasing-commissaries shall make monthly returns to the deputy commissaries-general of their respective districts, of their purchases, the prices paid, and shall settle their accounts once in six months:

That the deputy commissaries-general shall, once in every two months, make their returns to the commissary-general's office of general returns, and shall settle their accounts at that office whenever required to do so by the commissary-general:

That every three months the commissary-general shall render to Congress an account of his receipts and expenditures, and every nine months one of the general returns of his department, and such account and returns shall be returned at such other times as Congress shall require:

That all former regulations of Congress, relative to the department of the commissary-general of purchases, which interfere with the foregoing resolutions, be repealed.

The committee to whom the letter from governor Henry, of Virginia, together with a contract made by him with Mr. Hawkins for the purchase of cattle, was referred, brought in a report; Whereupon,

*Resolved*, That Mr. Hawkins proceed to purchase beef, cattle and horses agreeably to his contract with gov. Henry; and that Mr. Aylett, deputy commissary-general of purchases, be desired to continue to perform the remaining duties of his office, and shall give further orders with respect to the purchase of cattle, and worth be directed to transmit money to Mr. Hawkins to go on with his purchase.

The committee to whom was referred the report of the committee on the treasury, brought in a report, and debate,

*Ordered*, That the farther consideration be deferred to-morrow.

Adjourned to nine o'clock to-morrow.

### WEDNESDAY

A letter, of the 13th, from Mr. Swanwick, were read;

*Ordered*, That they be referred to the committee on the treasury



*Ordered*, That a warrant issue on the treasurer in favor of the committee of commerce, for 5231 83-90 dollars, to enable them to pay a bill for that sum drawn on them by Samuel and Robert Purviance; the said committee to be accountable.

*Resolved*, That George Campbell, esq. be appointed a manager of the United States' lottery.

The committee on the treasury brought in a report respecting the establishment of a new board of treasury, which was read:

*Ordered*, That the consideration thereof be postponed to Friday next.

The committee appointed to prepare a letter to the state of Delaware, brought in a draught, which was read, amended, and agreed to:

*Ordered*, That a copy of the said letter be made out and signed by the president, and transmitted to the president of the state of Delaware.

*Resolved*, That Congress approve of brigadier Smallwood's conduct in apprehending Thomas White and Charles Gordon, by virtue of their order of the 26th of March last.

*Resolved*, That a committee of three be appointed to prepare and report terms to be offered to such foreign officers and soldiers in the service of the king of Great-Britain, as shall quit that service and choose to become citizens of any of the United States of America: the members chosen, Mr. Chase, Mr. Dana, and Mr. G. Morris.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Pennsylvania, in favor of the president and council of the said state for the sum of 20,000 dollars, to be by them put into the hands of proper persons for the purpose of purchasing horses in the said state, for the use of the army of the United States; the said state to be accountable:

That a warrant issue on the commissioner of the loan-office in the state of Pennsylvania, in favor of Thomas Reed, assistant pay-master general, to discharge gen. Washington's draught on William Palfrey, pay-master general, in favor of Clement Biddle, commissary-general of forage, for 10,666 2-3 dollars; dated at camp, the 21st of January last:

That a warrant issue on the commissioner of the loan-office in the state of Pennsylvania, in favor of John Gibson, auditor-general, for the sum of 61,631½ dollars, to enable him to discharge the residue of a warrant drawn on him by the president of Congress, dated the 14th of September last, in favour of the supreme executive council of the state of Pennsylvania, for the sum of 200,000 dollars.

FOUR O'CLOCK, P. M.

Mr. Carroll, a delegate from Maryland, attended, and took his seat in Congress.

Congress resumed the consideration of the report of the committee on gen. Washington's letter of the 10th: Whereupon,

*Resolved*, That gen. Gates be directed forthwith to repair to Fishkill, on Hudson's river, and take the command of all troops which now are, or shall be collected and stationed at the posts on that river, and in the whole northern department; and immediately take effectual measures to secure the communication with the eastern states, by maintaining the possession of Hudson's river; and for that purpose, that he be empowered to provide such a number of galleys, gun-boats, fire-rafts, chains, cassoons, and chevaux-de-frize, and erect such fortifications as he may judge necessary, taking care that the fortifications be not too extensive, and also to carry on operations against the enemy if any favorable occasion should offer:

That to enable him to carry into execution the purpose aforementioned, gen. Gates be authorized to call for militia and artificers from the states of

New-York, Connecticut, Massachusetts-Bay, and New-Hampshire; and in case the enemy shall evacuate Rhode-Island, from that state also; and hereby earnestly recommended to the said states, to afford every aid in their power, as well in sending forth their militia in such numbers, and such time, as gen. Gates shall think proper, as in furnishing ordnance, materials and other necessaries for fortifying and obstructing the enemy:

That gen. Gates be directed, from time to time, to afford every aid in his power in forwarding the draughts and other reinforcements for the main army.

*Resolved*, That a committee of three be appointed to prepare and give instructions to major-general Gates: the members chosen, Mr. B. M. Mr. Dana, and Mr. Duer.

A memorial from Mons. Mondret, was read:

*Ordered*, That it be referred to the marine committee.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Wm Buchanan, esq. late commissary-general of purchases, for 200,000 lbs for the use of the commissary's department in the middle district; which he is to be accountable:

That a warrant issue on the treasurer in favor of James Fort, a delegate from Maryland, for 700 dollars, advanced upon his application to be charged to the said state.

A letter, of the 9th, from gov. Livingston, of New-Jersey, with the copy of a petition from the officers, civil and military, of the county of Camden, was read:

*Ordered*, That it be referred to the committee on the representation of the general assembly of New-Jersey, and that Mr. G. Morris be added to the said committee.

Adjourned to nine o'clock to-morrow.

#### THURSDAY, April 16, 1778.

*Resolved*, That a commission of captain be granted to Mr. Capron, of the corps of engineers, in the service of the United States of America, that he rank from the 1st of December, 1776.

The committee of commerce report, that they have presented the com-

take bonds from the said purchasing commissaries respectively, with not less than two good and sufficient securities, in the sum of 10,000 dollars, which bonds they shall lodge in the said treasury-office.

The yeas and nays being required,

<i>Massa'sts-Bay</i> , Mr. Dana,	no	}	<i>Maryland</i> ,	Mr. Chase,	ay	}
Gerry,	no			Carroll,	no	
<i>Rhode-Island</i> , Mr. Ellery,	ay	}		Forbes,	no	
<i>Connecticut</i> , Mr. Huntington,	ay			Henry,	no	
Wolcott,	ay	}	<i>N.-Carolina</i> ,	Mr. Burke,	no	}
<i>New-York</i> , Mr. Duer,	ay			Harnett,	ay	
G. Morris,	no	}	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	}
<i>New-Jersey</i> , Mr. Scudder,	no			Drayton,	ay	
<i>Pennsylvania</i> , Mr. J. B. Smith,	no	}		Hutson,	no	
James Smith,	ay		<i>Georgia</i> ,	Mr. Langworthy,	ay	}

So it was resolved in the affirmative.

Congress resumed the consideration of the report of the committee of the whole, respecting an allowance to officers after the war; Whereupon,

The letters of March 24th and April 10th, from gen. Washington, so far as they respect this matter, were called for and read, and a motion was made, that such parts of the said letters as relate to the making an establishment for officers in the army, be entered on the journals; upon which the previous question was moved, whether that question be now put; and the yeas and nays being required,

<i>Massa'sts-Bay</i> , Mr. Dana,	no	}	<i>Maryland</i> ,	Mr. Chase,	ay	}
Gerry,	no			Carroll,	ay	
Lovell,	no			Henry,	ay	
<i>Rhode-Island</i> , Mr. Ellery,	no	}	<i>N.-Carolina</i> ,	Mr. Burke,	no	}
<i>Connecticut</i> , Mr. Huntington,	no			Harnett,	ay	
Wolcott,	no	}	<i>S.-Carolina</i> ,	Mr. Laurens,	no	}
<i>New-York</i> , Mr. Duer,	ay			Drayton,	ay	
G. Morris,	ay	}		Hutson,	ay	
<i>New-Jersey</i> , Mr. Scudder,	no		<i>Georgia</i> ,	Mr. Langworthy,	ay	}
<i>Pennsylvania</i> , Mr. J. B. Smith,	no	}				
James Smith,	no					

So it passed in the negative.

Mr. Thomas Adams, a delegate from Virginia, attended, and took his seat in Congress.

An amendment was moved in lieu of the whole report as follows:

"Congress, however desirous of giving every reasonable encouragement to officers of the army who bravely hazard their lives in defence of their country, and however anxious to make an honorable provision for them after the close of the war, being apprehensive of the consequence of a military establishment, especially without knowing the sense of their constituents on a subject of such high importance:

*Resolved*, That the proposed plan for a military establishment be postponed, and that a letter be addressed to the several states, and that they be requested to take into their most serious consideration, and give their opinion on the following questions:

1. Whether some provision ought not to be made for the officers of the continental army after the conclusion of the war?

2. Whether that provision should be for life, or for a term of years?

3. Whether any provision should be made for the widows of such as have fallen, or shall fall in battle, or die in captivity, or in the service?

4. Whether some farther compensation or reward ought not to be granted to the privates who continue in the continental army till the close of the war?

A previous question being moved, whether that question be now put, and the yeas and nays being required, a member declined to answer, alleging he was warranted so to do by the practice of the house;

Whereupon, the resolution of the 26th of August last, was called in read; and thereupon,

*Resolved*, That when a member is called upon to answer ay or no, he not of right withhold his voice.

The yeas and nays being then taken on the previous question:

<i>Massachusetts Bay</i> , Mr. Dana,	no	} no	<i>Virginia</i> , Mr. F. L. Lee,	ay
Gerry,	no		Banister,	ay
Lovell,	ay		T. Adams,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	<i>N.-Carolina</i> , Mr. Burke,	ay
<i>Connecticut</i> , Mr. Huntington,	ay		Harnett,	ay
Walcott,	ay		<i>S.-Carolina</i> , Mr. Laurens,	ay
<i>New-York</i> , Mr. Duer,	no	} no	Drayton,	ay
G. Morris,	no		Hutson,	ay
<i>New-Jersey</i> , Mr. Scudder,	ay		<i>Georgia</i> , Mr. Langworthy,	ay
<i>Pennsylvania</i> , Mr. J. B. Smith,	ay	} div.		
James Smith,	no			
<i>Maryland</i> , Mr. Chase,	no			
Carroll,	no	} no		
Forbes,	no			
Henry	no			

So it passed in the negative.

Adjourned to nine o'clock to-morrow.

#### FRIDAY April 17, 1778.

*Resolved*, That Mr. T. Adams be added to the committee of council. A report from the board of war was read; Whereupon,

*Resolved*, That brigadier Stark be employed in the northern department, under the command of gen. Gates.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 500 dollars be paid to John Brown, for the said John Morris, esq. to discharge four bills of 125 dollars each, drawn by John the treasurer of North-Carolina, dated the 10th of May last, in favor of his Payneville; the state to be charged therewith:

That 1166 60-90 dollars be advanced to Cornelius Harnett, esq. a delegate from North-Carolina, upon his application, and charged to the said state.

That 30,000 dollars be advanced to Dr. Potts, and that a warrant be in his favor on Thomas Smith, esq. commissioner of the continental office in the state of Pennsylvania, for the farther sum of 70,000 dollars for the use of the hospital in the middle district; for which sums the said Dr. Potts is to be accountable:

That 1,500,000 dollars be advanced to Jeremiah Wadsworth, esq. commissary-general of purchases, for the use of his department, he to be accountable.

*Resolved*, That the president and supreme executive council of the Commonwealth of Pennsylvania, be requested to order the commissioners appointed to make purchases of wheat and flour, to desist in making any further purchases of those articles, and to make returns forthwith to the said Wadsworth, commissary-general of purchases, and to the board of war of the purchases they have made.

The committee to the assembly of New-Jersey

*Resolved*, That so that state with a battalion, commander in chief

That the state of Pennsylvania, in last, and in the course of the war, on the

**Resolved**, That the board of war be empowered to order and appoint general courts-martial as often as occasion requires, for trying officers and others under arrest, agreeably to the rules and articles of war, in the place where Congress may sit, and that the said courts report their proceedings to the commander in chief.

Congress resumed the consideration of the report of the committee of the whole, and the first paragraph being read, a motion was made,

“That an establishment of half pay be made for the military officers commissioned by Congress who now are, or hereafter may be, in the service of these states, and shall continue therein during the war, and who shall not be annexed to any corps of established troops, or hold any office of profit under the United States, or any of them; and that such establishment take place after the conclusion of the present war:”

Whereupon, the agreement entered into the 1st inst. was called for and read, and thereupon a question was moved and put, whether that motion is in order, consistent with the said agreement and the subsequent decision of Congress, that the report of the committee of the whole should not be entered on the journal?

And the yeas and nays being required,

<i>Massachusetts-Bay,</i>	Mr. Dana,	no	}	<i>Virginia,</i>	]	Mr. F. L. Lee,	ay	}
	Lovell,	no					Banister,	
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	<i>N.-Carolina,</i>		T. Adams,	ay	}
<i>Connecticut,</i>	Mr. Huntington,	no					Mr. Burke,	
	Wolcott,	no	}	<i>S.-Carolina,</i>		Harnett,	ay	}
<i>New-York,</i>	Mr. Duer,	ay					Mr. Laurens,	
	G. Morris,	ay	}	<i>Georgia,</i>		Drayton,	no	}
<i>New-Jersey,</i>	Mr. Scudder,	no					Hutson,	
<i>Pennsylvania,</i>	Mr. J. B. Smith,	no	}		Mr. Langworthy,	ay	ay	
	James Smith,	ay		}				
<i>Maryland.</i>	Mr. Chase,	ay	}					
	Carroll,	ay						
	Forbes,	ay						

So it was resolved in the affirmative.

The motion was then received and read by the president, and after debate,

**Resolved**, That the farther consideration thereof be postponed till to-morrow.

**Ordered**, That Mr. Forbes have leave of absence.

**Ordered**, That Mr. Burke have leave of absence.

Adjourned to nine o'clock to-morrow.

#### SATURDAY, April 18, 1778.

Mr. Plater, a delegate from Maryland, attended, and took his seat in Congress.

Whereas, Joseph Trumbull, esq. who was elected a member of the board of war, is, on account of his ill state of health, unable to attend his duty at that board, and therefore desirous to resign:

**Resolved**, That his resignation be accepted.

A memorial from Joseph Carson, was read:

**Ordered**, That it be referred to a committee of three: the members chosen, Mr. Banister, Mr. Carroll and Mr. Huntington.

The marine committee brought in a report; Whereupon, Congress came to the following resolutions:

Whereas, it is expedient that a speedy enquiry be made into the causes of the loss of the Virginia frigate, and a competent number of officers belonging to the navy cannot, at present, be obtained for that purpose:

**Resolved**, That the navy board in the middle district, with William Smith, esq. of Baltimore, and Steven Steward, esq. of West-river, in the state of Maryland, or any three of them, be, and they are hereby appointed and fully authorized to make a strict enquiry and examination into the causes of the



loss of the said frigate, and the conduct of James Nicholson, late commandant of the said frigate; and that to that end they repair to Baltimore as soon as possible, and call before them the said James Nicholson, and examine persons, evidences and papers necessary, and make report of such inquiry, together with the evidences, to the marine committee, to be laid before Congress.

The committee to whose decision, in conjunction with gen. Washington, the appointment of the officers of brigadier count Pulaski's corps was brought in a report; Whereupon,

*Resolved*, That Michael de Kowatz be appointed colonel-commandant Julius de Mountfort, major; John de Zielinske, captain of horse.

*Resolved*, That gen. Washington be authorized and directed to convene a council, to consist of the major-generals in the state of Pennsylvania, and the general officer commanding the corps of engineers, and the advice of the said council to form such a plan for the general conduct of the campaign as he shall deem consistent with the welfare of the army.

That major-generals Gates and Mifflin, members of the board of war, leave to attend the said council.

The committee on the treasury brought in a report; Whereupon,

*Resolved*, That 500,000 dollars be emitted under the direction of the treasury board, and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor as the emission directed on the 4th inst. be numbered from the last end of each respective denomination of that emission progressively, under of the following denominations:

7692 of 30 dollars,	-	230,760	7692 of 4 dollars,	-	37
7693 of 8 do.	-	61,544	7692 of 3 do.	-	35
7693 of 7 do.	-	53,851	7692 of 2 do.	-	33
7692 of 6 do.	-	46,152			
7693 of 5 do.	-	38,465			33

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the emission directed on the 4th of May last, shall extend to the said 500,000 dollars now to be emitted, subject to such directions and instructions as the board of treasury may judge expedient.

*Ordered*, That 200,000 dollars be advanced to William Buchanan, late commissary-general of purchases, to be by him transmitted to Mr. Colt, in the eastern district; Mr. Buchanan to be accountable.

That 50,000 dollars be advanced to James Mease, esq. clothier-general for the use of his department; he to be accountable.

A memorial from Mons. Fidel Dorre, was read:

*Ordered*, That it be referred to the committee of commerce.

*Resolved*, That a committee of three be appointed to confer with James Mease, clothier general. on the subject of his department: the members chosen, Mr. J. Adams,

*Resolved*, That the board determine the mode in which the army shall be supplied with necessary, to dismiss the persons who are no longer necessary, and to engage others.

*Resolved*, That Mr. Hutcheson be appointed.

*Resolved*, That Mr. G. J. Beatty be appointed.

A petition from captain J. M. Smith, was read:

*Ordered*, That it be referred to the committee of commerce.

Whereas, a brigadier of cavalry, in equipping himself for service, rank in the army; therefore

**Resolved,** That the pay of the brigadier-general of cavalry be in the same proportion to that of a brigadier of infantry, as the pay of a colonel of the cavalry is to that of a colonel of infantry, viz. 156½ dollars per month.

Adjourned to nine o'clock on Monday.

MONDAY, *April 20, 1778.*

A letter, of the 15th, from major Lee, and one, of the 17th, from E. Boudinot, esq. commissary-general of prisoners, were read, the last informing Congress of his resolution to decline continuing any longer in the service:

**Ordered,** That Thursday next be assigned for electing a commissary-general of prisoners.

A letter, of the 7th, from gov. Clinton, with a proclamation enclosed, was read:

**Ordered,** That the same be referred to a committee of three: the members chosen, Mr. Huntington, Mr. J. B. Smith, and Mr. Lee.

A letter, of the 18th, from gen. Washington, with the report of the commissioners by him appointed for settling a cartel, &c. was read:

**Ordered,** That the same be referred to a committee of three: the members chosen, Mr. G. Morris, Mr. Drayton, and Mr. Dana.

A letter, of the 18th, from Jonathan Sergeant, esq. and one, of the 26th of March, from governor Caswell, of North-Carolina, were read:

A letter, of the 9th, from baron Steuben; one, of the 4th, from governor Cooke, of Rhode-Island, and one, of the 6th, from brigadier Muhlenburg, were read:

**Ordered,** That they be referred to the board of treasury.

A letter, of the 17th, from brigadier Smallwood, with two letters enclosed, was read:

**Ordered,** That the same be referred to a committee of three: the members chosen, Mr. Duer, Mr. Chase, and Mr. Carroll.

The committee appointed to prepare instructions to gen. Gates, brought in a draught, which was taken into consideration, and sundry amendments being made, was agreed to:

**Ordered,** That the same be transcribed and signed by the president and transmitted to gen. Gates, and that a copy be sent to general Washington.

Adjourned to nine o'clock to-morrow.

TUESDAY, *April 21, 1778.*

The committee to whom was referred the letter of the 18th, from general Washington, with the several papers enclosed, brought in a report, which was taken into consideration, and the same being debated by paragraphs and amended, and each paragraph, on a question put, being agreed to,

A motion was made, that a question be put on the whole:

Whereupon, a question of order was moved, whether a question can in such case be put; and the yeas and nays being required,

<i>Mass's-Bay,</i>	Mr. Dana,	no	}	<i>Virginia,</i>	Mr. F. L. Lee,	no	}
	Lovell,	no			Banister,	no	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}		T. Adams,	no	}
<i>Connecticut,</i>	Mr. Huntington,	no		<i>N.-Carolina,</i>	Mr. Burke,	ay	
	Wolcott,	no	}		Harnett,	no	}
<i>New-York,</i>	Mr. Duer,	no		<i>S.-Carolina,</i>	Mr. Laurens,	ay	
	G. Morris,	no	}		Drayton,	ay	}
<i>New-Jersey,</i>	Mr. Scudder,	no			Hutson,	ay	
<i>Pennsylvania,</i>	Mr. J. B. Smith,	ay	}	<i>Georgia,</i>	Mr. Langworthy,	no	}
	James Smith,	ay					
<i>Maryland,</i>	Mr. Chase,	no	}				
	Carroll,	no					
	Plater,	no					
	Henry,	no					

So it passed in the negative.

The report, as amended and agreed to, is as follows :

*Resolved*, That Congress approve of the conduct of col. Grayson, lieutenant. col. Harrison, and lieutenant. col. Hamilton, and Elias Boudinot, esqrs. " commissioners appointed by gen. Washington to meet the commissioners appointed by general sir William Howe, and with them to confer, determine and agree upon a treaty and convention for the exchange of prisoners of war, and for all matters whatsoever which may be properly contained therein," in the several meetings held at Germantown and Newton, with the commissioners of gen. Howe.

*Resolved*, That Congress are sincerely desirous of settling a cartel for the exchange of prisoners, on principles of justice, humanity, and mutual advantage, and agreeable to the customary rules and practice of war among civilized nations ; and that they lament the obstacles raised by gen. Howe and his commissioners during the negotiations held for this desirable purpose.

*Ordered*, That the letters and papers received from the general, relating to the said cartel, be published, together with these resolutions.

*Ordered*, That the committee have leave to sit again.

Congress having received repeated information, that various abuses prevail in the department of the commissary of hides : for securing the hides and tallow belonging to the public,

*Resolved*, That the board of war be directed to make such regulations for conducting that department as they shall deem best calculated to answer the end of its institution ; that they be authorized to dismiss, if they shall judge necessary, the persons who have been hitherto employed to conduct the same, and to appoint others in their stead, till the pleasure of Congress can be known, reporting to Congress the names of the principal persons by them appointed to conduct that business.

*Resolved*, That the members of the board of war, or any one of them, be authorized, in conjunction with any two or more of the present commissioners, to manage the business of that department, till an additional number of commissioners shall be appointed by Congress to the board of war, and shall be ready to attend that business.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, for 20,000 dollars, in favor of William Henry, esq. of Lancaster, for the purpose of paying for leather, &c. purchased by him, and for repairing arms for public service ; he to be accountable.

*Resolved*, That Congress will, on Monday next, take into consideration the state of our affairs with foreign courts, and the instructions to the commissioners of Congress at such courts.

FOUR O'CLOCK, P. M.

*Ordered*, That the quarter-master in Yorktown provide a room for the clerk of the United States' lottery, to serve him for an office to transact his business in with conveniency and security.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 7939 dollars be paid to Samuel Ewing, esq. in discharge of an order of Thomas Reed, assistant pay-master general, in his favor, dated the 18th inst. William Palfrey, esq. pay-master general, to be accountable.

Congress resumed the consideration of the report of the committee of the whole ; Whereupon, the motion made on Friday last was read, and an amendment moved :

A motion was then made to take the sense of the house, whether it is in order that the resolution of Friday, which was entered on the minutes and

then determined to be in order, should now be subject to any further amendment?

And the yeas and nays being required,

<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} no	<i>Maryland</i> ,	Mr. Chase,	ay	} ay
Lovell,	no			Plater,	ay	
Dana,	no			Carroll,	ay	
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Henry,	ay	} ay
<i>Connecticut</i> , Mr. Huntington,	no		<i>Virginia</i> ,	Mr. F. L. Lee,	ay	
Wolcott,	no	} no		Banister,	ay	
<i>New-York</i> , Mr. Duer,	ay			T. Adams,	ay	} ay
G. Morris,	ay	} ay	<i>N.-Carolina</i> ,	Mr. Burke,	ay	
<i>New-Jersey</i> , Mr. Scudder,	no			Harnett,	ay	
<i>Pennsylvania</i> , Mr. J. B. Smith,	ay	} ay	<i>S.-Carolina</i> ,	Mr. Laurens,	ay	} ay
James Smith,	ay			Drayton,	ay	
			<i>Georgia</i> ,	Hutson,	ay	
				Mr. Langworthy,	ay	ay

So it was resolved in the affirmative.

On the question put to strike out "an establishment," and insert "it is expedient a provision;" Resolved in the affirmative.

It was then moved, that the sense of the house be taken, whether "any provision shall be made for the officers, &c. after the conclusion of the present war?"

On which the yeas and nays being required,

<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} ay	<i>Maryland</i> ,	Mr. Chase,	ay	} ay
Lovell,	no			Plater,	ay	
Dana,	ay			Carroll,	ay	
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Henry,	ay	} ay
<i>Connecticut</i> , Mr. Huntington,	no		<i>Virginia</i> ,	Mr. F. L. Lee,	ay	
Wolcott,	no	} no		Banister,	ay	
<i>New-York</i> , Mr. Duer,	ay			T. Adams,	ay	} ay
G. Morris,	ay	} ay	<i>N.-Carolina</i> ,	Mr. Burke,	ay	
<i>New-Jersey</i> , Mr. Scudder,	no			Harnett,	ay	
<i>Pennsylvania</i> , Mr. J. B. Smith,	ay	} ay	<i>S.-Carolina</i> ,	Mr. Laurens,	no	} no
James Smith,	ay			Drayton,	no	
<i>Delaware</i> Mr. M'Kean,	ay	ay	<i>Georgia</i> ,	Hutson,	no	
				Mr. Langworthy,	ay	ay

So it was resolved in the affirmative.

Adjourned to five o'clock P. M. to-morrow.

WEDNESDAY, April 22, 1778. P. M.

Mr. Matthews, a delegate from South-Carolina, attended, and took his seat in Congress.

The committee to whom was referred the letter of the 18th, from gen. Washington, containing a certain printed paper sent from Philadelphia, purporting to be the draught of a bill for declaring the intention of the parliament of Great-Britain as to the exercise of what they are pleased to term their right of imposing taxes within these United States: and also the draught of a bill to enable the king of Great-Britain to appoint commissioners with powers to treat, consult and agree upon the means of quieting certain disorders within the said states, brought in a report; wherein they beg leave to observe,

That the said paper being industriously circulated by the emissaries of the enemy in a partial and secret manner, the same ought to be forthwith printed for the public information.

The committee cannot ascertain whether the contents of the said paper have been framed in Philadelphia or in Great-Britain, much less whether the same are really and truly intended to be brought into the parliament of that kingdom, or whether the said parliament will confer thereon the usual so-

lemnities of their laws ; but are inclined to believe this will happen for following reasons :

1. Because their general hath made divers feeble efforts to set on foot some kind of treaty, during the last winter ; though, either from a mistaken idea of his own dignity and importance, the want of information, or some other cause he hath not made application to those who are invested with a proper authority.

2. Because they suppose that the fallacious idea of a cessation of hostilities will render these states remiss in their preparations for war.

3. Because, believing the Americans wearied with war, they suppose will accede to their terms for the sake of peace.

4. Because they suppose that our negotiations may be subject to the corrupt influence with their debates.

5. Because they expect from this step the same effects they did see what one of their ministers thought proper to call his conciliatory measure viz. " That it will prevent foreign powers from giving aid to these states that it will lead their own subjects to continue a little longer the present war ; and that it will detach some weak men in America from their freedom and virtue."

6. Because the king, from his own shewing, hath reason to suppose that his fleets and armies, instead of being employed against the enemies of these states, will be necessary for the defence of his own dominions.

7. Because the impracticability of subjugating this country being every day more and more manifest, it is their interest to extricate themselves from the war upon any terms.

The committee beg leave farther to observe,

That, upon a supposition the matters contained in the said paper shall go into the British statute book, they serve to shew, in a clear and full view, the weakness and wickedness of the enemy. Their weakness,

1. Because they formerly declared not only that they had a right to the inhabitants of these states in all cases whatsoever, but also that the inhabitants should absolutely and unconditionally submit to the exercise of that right : and this submission they have endeavored to exact by the use of force. Receding from their claim, therefore, under the present circumstances shews their inability to enforce it.

2. Because their prince hath heretofore rejected the humblest petitions of the representatives of America, praying to be considered as subjects and protected in the enjoyment of peace, liberty and safety ; and hath upon the most cruel war against them, and employed the savages to butcher women and children. But, now the same prince pretends to treat the same very representatives, and grant to the arms of America what is due to her prayers.

3. Because they have uniformly labored to conquer this continent by

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2. The first of these bills, appears from the title, to be a declaration of the intentions of the British parliament, concerning the exercise of the rights of imposing taxes within these states: wherefore should these states treat under the said bill, they would indirectly acknowledge that right, to obtain which acknowledgment the present war hath been avowedly undertaken and prosecuted on the part of Great-Britain.

3. Should such pretended right be so acquiesced in, then, of consequence, the same might be exercised whenever the British parliament should find themselves in a different temper and disposition, since it must depend upon those, and such like contingencies, how far men will act according to their former intentions.

4. The said bill, in the body thereof, containeth no new matter; but is precisely the same with the motion before mentioned, and liable to all the objections which lay against the said motion, excepting the following particular, viz. that by the motion, actual taxation was to be suspended so long as America should give as much as the said parliament might think proper; whereas by the proposed bill, it is to be suspended as long as future parliaments continue of the same mind with the present.

5. From the second bill it appears, that the British king may, if he pleases, appoint commissioners to treat and agree with those whom they please about a variety of things therein mentioned: but such treaties and agreements are to be of no validity without the concurrence of the said parliament, except so far as they relate to the suspension of hostilities, and of certain of their acts, the granting of pardons, and the appointing of governors to these sovereign, free and independent states: wherefore the said parliament have reserved to themselves, in express words, the power of the setting aside any such treaty, and taking the advantage of any circumstances which may arise, to subject this continent to their usurpations.

6. The said bill, by holding forth a tender of pardon, implies a criminality in our justifiable resistance; and, consequently, to treat under it, would be an implied acknowledgment that the inhabitants of these states were what Britain hath declared them to be, rebels.

7. The inhabitants of these states being claimed by them as subjects, they may infer from the nature of the negotiation now pretended to be set on foot; that the said inhabitants would of right be afterwards bound by such laws as they should make; wherefore any agreement entered into on such negotiation, might at any future time be repealed; and

8. Because the said bill purports that the commissioners therein mentioned may treat with private individuals, a measure highly derogatory to the dignity of national character.

From all which it appears evident to your committee, that the said bills are intended to operate upon the hopes and fears of the good people of these states, so as to create divisions among them, and a defection from the common cause, now, by the blessing of Divine Providence, drawing near to a favorable issue; that they are the sequel of that insidious plan, which, from the days of the stamp-act down to the present time, hath involved this country in contention and bloodshed; and that, as in other cases, so in this, although circumstances may force them, at times, to recede from their unjustifiable claims, there can be no doubt but they will, as heretofore, upon the first favorable occasion, again display that lust of domination which hath rent in twain the mighty empire of Britain.

Upon the whole matter, the committee beg leave to report it as their opinion, that, as the Americans, united in this arduous contest upon principles of common interest, for the defence of common rights and privileges; which union hath been cemented by common calamities, and by mutual good offices and affection; so the great cause for which they contend, and in which all



mankind are interested, must derive its success from the continuance of its union ; wherefore any men, or body of men, who should presume to make a separate or partial convention or agreement with commissioners under the crown of Great-Britain, or any of them, ought to be considered and treated as open and avowed enemies of these United States.

And further, the committee beg leave to report it as their opinion, that these United States cannot, with propriety, hold any conference or treaty with any commissioners on the part of Great-Britain, unless they do, as a preliminary thereto, either withdraw their fleets and armies, or do, in positive and express terms, acknowledge the independence of the said states.

And, inasmuch as it appears to be the design of the enemies of these states to lull them into a fatal security, to the end that they may act with less weight and importance, it is the opinion of your committee that the several states be called upon to use the most strenuous exertions to have their respective quotas of continental troops in the field as soon as possible, so that all the militia of the said states may be held in readiness to meet any emergency that may require."

The report being read, and debated by paragraphs,

*Resolved, unanimously, That Congress approve and confirm the report.*

*Ordered, That the same be published.*

*Adjourned to nine o'clock to-morrow.*

#### THURSDAY, April 23, 1778.

A letter, of March 31st, from John Carter, at Williamsburg; one, of the 3d inst. from B. Harrison, deputy pay-master general in Virginia, with his monthly account; one, of the 6th, from major-general Conway, with his account; and one, of the 20th, from general Washington, were read :

*Ordered, That the letter from Mr. Harrison, with the account, be referred to the board of treasury.*

*Ordered, That the marine committee take into consideration the state of the river defence of Delaware, and the measures which they judge best and proper for defending that river above Philadelphia.*

A letter, of the 21st, from the board of war, was read, wherein they inform, that in pursuance of the resolution of the 18th, they have enquired into the armourer's department, under Thomas Butler, and are convinced that no advantage will arise to the states from a continuance of the persons engaged in that business ; for which reason they have dismissed Mr. Butler, the former public armourer, and appointed William Henry, esq. of Lancaster, superintendent of arms and military accoutrements :

*Resolved, That Congress approve the proceedings of the board, and confirm their appointment.*

*Ordered, That Thomas Butler, late armourer, immediately render his accounts, and settle with the auditors of accounts at the board of treasury.*

The committee

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and though now desirous of returning to their duty, and anxiously wishing to be received and re-united to their country, they may be deterred by the fear of punishment; and whereas the people of these states are ever more ready to reclaim than to abandon, to mitigate than to increase the horrors of war; to pardon than to punish offenders:

*Resolved*, That it be recommended to the legislatures of the several states to pass laws, or to the executive authority of each state, if invested with sufficient power, to issue proclamations, offering pardon, with such exceptions and under such limitations and restrictions as the several states shall think expedient, to such of their inhabitants or subjects, who have levied war against any of these states, or who have adhered to, aided or abetted the enemy, and who shall surrender themselves to any civil or military officer of any of these states, and shall return to the state to which they may belong, before the 10th day of June next: and it is recommended to the good and faithful citizens of these states to receive such returning penitents with compassion and mercy, and to forgive and bury in oblivion their past failings and transgressions.

*Ordered*, That 500 copies in English and 200 in German be printed, and that gen. Washington be desired to take such measures as he shall deem most effectual for circulating the foregoing recommendation among the American levies in the enemy's army.

A motion was made to re-consider the order of yesterday for publishing the report of the committee, so far as relates to the immediate publication of the last paragraph but one in the said report;

And the yeas and nays being required,

<i>Massachusetts</i> , Mr. Gerry,	no	{	<i>Virginia</i> ,	Mr. F. L. Lee,	ay	{
Lovell,	ay			Banister,	no	
Dana,	ay			T. Adams,	no	
<i>Rhode-Island</i> , Mr. Ellery,	no	{	<i>N.-Carolina</i> ,	Mr. Burke,	no	{
<i>Connecticut</i> , Mr. Huntington,	ay			Harnett,	no	
Wolcott,	ay	{	<i>S. Carolina</i> ,	Mr. Laurens,	no	{
<i>New-York</i> , Mr. Duer,	no			Drayton,	no	
G. Morris,	no			Hutson,	no	
<i>New-Jersey</i> , Mr. Scudder,	ay	{	<i>Georgia</i> ,	Mr. Langworthy,	no	
<i>Maryland</i> , Mr. Chase,	no					
Plater,	no					
Carroll,	no					
Henry,	no					

So it passed in the negative.

The committee to whom was referred the letter of the 17th, from brigadier Smallwood, with the papers enclosed, brought in a report; Whereupon,

*Resolved*, That the governor and council of the state of Maryland be requested immediately to embody 300 militia of the eastern-shore of that state under active and spirited officers, and to order them to march with two field-pieces and a proper number of artillerists into the Delaware state, there to execute such orders as they may receive from a committee of Congress specially appointed for this purpose:

That three members be appointed a committee to give proper instructions to the officer commanding on this expedition:

That the said committee be further authorized to devise and carry into execution the most effectual measures for enquiring into, detecting and defeating all disaffections, conspiracies and insurrections on that neck of land comprehended betwixt the Delaware and Chesapeake-Bay, and that they apply to the governments of Maryland and Virginia, and to the state of Delaware, if the committee shall think necessary, for the purposes above-mentioned; and it is earnestly recommended to the said governments to give every assistance in their power to the said committee:

That a copy of brigadier Smallwood's letter of April 17th, be transmit-

ted to the governor and council of Maryland, and that they be requested to take immediate and adequate measures for the security of the stores at Charlestown.

*Resolved*, That the powers vested in gen. Washington by the resolutions of the 17th of September, 8th of October and 10th of December, 1777, be renewed and extended to the 10th day of August, 1778.

*Resolved*, That brigadier Smallwood be informed, that the powers vested in gen. Washington by the resolutions of Congress of the 17th of September, 8th of October and 10th of December, expired on the 10th of April inst. but that Congress have thought proper, by a resolution of this date, to renew and extend them to the 10th of August next.

Congress proceeded to the election of a committee for the purposes expressed in the foregoing resolutions, and the ballots being taken, Mr. Carroll, Mr. Duer and Mr. Banister were elected.

*Ordered*, That Mr. Harnett have leave of absence.

Adjourned to nine o'clock to-morrow.

#### FRIDAY, April 24, 1778.

A letter of the 20th, from gen. Green, quarter-master general, was read.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That a warrant issue on Joseph Borden, esq. commissioner of the continental loan-office in the state of New-Jersey, for 50,000 dollars in favor of major-general Green, quarter-master general, for the use of his department; he to be accountable:

That 30,000 dollars be paid to the delegates of Maryland, to be by them transmitted to the governor and council of that state, for the purpose of recruiting their quota of continental troops; the said state to be accountable.

*Resolved*, That the board of war be directed to take the most expeditious measures for transporting the public provisions and stores from the southern states, across Chesapeake-Bay or otherwise:

That it be recommended to the governments of the state of Maryland and of Virginia, to permit the armed gallies belonging to their respective states, to be employed for the purpose above mentioned, at the continental expense; and that the whole of the vessels so employed, be put under the command of a continental officer, in order to prevent any ill consequences which may arise from a disputed command betwixt the state officers:

That it be recommended to the government of the state of Pennsylvania, to furnish the board of war with as many sailors now employed in the service of their state as they can spare, for the purpose of manning the Maryland and Virginia gallies, to be employed in Chesapeake-Bay:

That the marine committee, and the committee of commerce, be directed to co-operate with the board of war in manning the gallies above mentioned.

Adjourned to nine o'clock to-morrow.

#### SATURDAY, April 25, 1778.

Mr. Sherman, a delegate from Connecticut, attended, and took his seat in Congress.

A letter, of the 23d, from gen. Washington, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to a committee of three: the members chosen, Mr. Drayton, Mr. G. Morris, and Mr. Dana.

A letter, of the 6th; and one of the 9th, from gen. Heath, enclosing a copy of the parole given by lieut. gen. Burgoyne, and a copy of an agreement between lieut. gen. Burgoyne and major-gen. Heath, respecting the payment for provisions, fuel, &c.

*Ordered*, That the letters from major-general Heath, with the copy of the

agreement, be referred to the board of treasury, and the copy of the parole to the board of war.

A letter, of the 2d, from the council of Massachusetts-Bay, and one, of the 19th, from brigadier Wind, were read :

*Ordered*, That the letter from the council of Massachusetts-Bay, be referred to the board of war.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 1000 dollars be paid to major William West, in discharge of a draught of William Palfrey, esq. pay-master general, in his favor, on the president of Congress, dated at camp, the 24th of March last, and for which the said William Palfrey is to be accountable.

A certificate of brigadier Smallwood, in favor of the Rev. Mr. Joseph Montgomery, was laid before Congress :

*Ordered*, That it be referred to the board of treasury.

The committee appointed to prepare and report terms to be offered to such foreign officers and soldiers in the service of the king of Great-Britain, as shall quit that service, and choose to become citizens of any of the United States of America, brought in a report, which was read.

Congress resumed the consideration of the report of the committee of the whole, respecting an allowance to officers after the war :

On motion, that the consideration thereof be postponed ; question put, and the yeas and nays being required,

<i>Massa'tts-Bay</i> , Mr. Gerry,	no	} no	<i>Maryland</i> ,	Mr. Chase,	no	} no
	Lovell,			Carroll,	no	
	Dana,			Plater,	no	
<i>Rhode-Island</i> ,	Mr. Ellery,	ay	} ay	Henry,	no	} no
<i>Connecticut</i> ,	Mr. Sherman,	ay		Mr. F. L. Lee,	no	
	Huntington,	ay		Banister,	no	
	Wolcott,	ay	} ay	T. Adams,	no	} no
<i>New-York</i> ,	Mr. Duer,	no		Mr. Burke,	no	
	G. Morris,	no		Harnett,	no	
<i>New-Jersey</i> ,	Mr. Scudder,	ay	} ay	Mr. Laurens,	no	} no
<i>Pennsylvania</i> ,	Mr. Clingan, <i>excused</i> ,	no		Drayton,	ay	
	J. B. Smith,	no		Matthews,	no	
<i>Delaware</i> ,	Mr. M'Kean,	no	} no	Hutson,	no	} no
				Mr. Langworthy,	no	
			<i>Georgia</i> ,			

So it passed in the negative.

A motion was made that the provision to be made for the officers, &c. be one half of their present pay.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the question under debate in the morning, to which an amendment was moved to strike out "present," and after the word "pay" add "on the first establishment made in the year 1775:" question put, passed in the negative.

Another amendment was moved, to strike out "one half of their present pay," and insert "a sum of money appropriated to the officers according to their rank, and payable to them or their representatives after the conclusion of the war:"

After debate, the determination of this question, at the request of a state, was postponed to another day.

Adjourned to three o'clock, P. M. to-morrow.

SUNDAY, April 26, 1778.

Question being put on the amendment moved yesterday, which was put off at the request of a state ; and the yeas and nays being required,

<i>Massa'tts-Bay,</i>	Mr. Gerry,	no	} no	<i>Maryland,</i>	Mr. Chase,	ay
	Lovell,	ay			Plater,	ay
	Dana,	no			Henry,	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay	<i>Virginia,</i>	Mr. F. L. Lee,	ay
<i>Connecticut,</i>	Mr. Sherman,	ay			Banister,	ay
	Huntington,	ay			T. Adams,	ay
	Wolcott,	ay	} ay	<i>N.-Carolina,</i>	Mr. Burke,	ay
<i>New-York,</i>	Mr. Duer,	no		<i>S.-Carolina,</i>	Mr. Laurens,	ay
	G. Morris,	no			Drayton,	ay
<i>New-Jersey,</i>	Mr. Scudder,	ay	} no		Matthews,	ay
<i>Pennsylvania,</i>	Mr. J. B. Smith,	no			Hutson,	ay
	Clingan,	ay		<i>Georgia,</i>	Mr. Langworthy,	ay
<i>Delaware,</i>	Mr. M'Kean,	no	} no			

So it passed in the negative.

The main question was then put, and the yeas and nays being required.

<i>Massa'tts-Bay,</i>	Mr. Gerry,	ay	} ay	<i>Maryland,</i>	Mr. Chase,	ay
	Lovell,	no			Plater,	ay
	Dana,	ay			Carroll,	ay
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no	<i>Virginia,</i>	Mr. F. L. Lee,	ay
<i>Connecticut,</i>	Mr. Sherman,	no			Banister,	ay
	Huntington,	no			T. Adams,	ay
	Wolcott,	no	} no	<i>N.-Carolina,</i>	Mr. Burke,	ay
<i>New-York,</i>	Mr. Duer,	ay		<i>S.-Carolina,</i>	Mr. Laurens,	ay
	G. Morris,	ay			Drayton,	ay
<i>New-Jersey,</i>	Mr. Scudder,	no	} no		Matthews,	ay
<i>Pennsylvania,</i>	Mr. J. B. Smith,	ay			Hutson,	ay
	Clingan,	no		<i>Georgia,</i>	Mr. Langworthy,	ay
<i>Delaware,</i>	Mr. M'Kean,	ay	} ay			

So it was resolved, that the provision to be made for officers, be the half of their present pay.

A motion was then made, "That such provision of half-pay stand the life of the officers:"

To which an amendment was moved, to trike out "for the life of officers," and insert "for years:"

Question put, the yeas and nays being required,

<i>Massa'tts-Bay,</i>	Mr. Gerry,	ay	} ay	<i>Maryland,</i>	Mr. Chase,	ay
	Lovell,	ay			Plater,	ay
	Dana,	ay			Carroll,	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay	<i>Virginia,</i>	Mr. F. L. Lee,	ay
<i>Connecticut,</i>	Mr. Sherman,	ay			Banister,	ay
	Huntington,	ay			T. Adams,	ay
	Wolcott,	ay	} ay	<i>N.-Carolina,</i>	Mr. Burke,	ay
<i>New-York,</i>	Mr. Duer,	ay		<i>S.-Carolina,</i>	Mr. Laurens,	ay
	G. Morris,	no			Drayton,	ay
<i>New-Jersey,</i>	Mr. Scudder,	ay	} ay		Matthews,	ay
<i>Pennsylvania,</i>	Mr. J. B. Smith,	no			Hutson,	ay
	Clingan,	ay		<i>Georgia,</i>	Mr. Langworthy,	ay
<i>Delaware,</i>	Mr. M'Kean,	no	} no			

So the amendment was lost, the states being equally divided.

The main question was then put, the yeas and nays being required.

<i>Massa'tts-Bay,</i>	Mr. Gerry,
	Lovell,
	Dana,
<i>Rhode-Island,</i>	Mr. Ellery,
<i>Connecticut,</i>	Mr. Sherman,
	Huntington,
	Wolcott,
<i>New-York,</i>	Mr. Duer,
	G. Morris,
<i>New-Jersey,</i>	Mr. Scudder,
<i>Pennsylvania,</i>	Mr. J. B. Smith,
	Clingan,
<i>Delaware,</i>	Mr. M'Kean,

So it was resolved in the

A letter, of the 25th, from gen. Washington, was read.

Congress resumed the consideration of the report from the committee of the whole; to which sundry amendments were moved; after debate,

*Ordered*, That the farther consideration thereof be postponed.

Adjourned to nine o'clock on Monday.

**MONDAY, April 27, 1778.**

A letter, of the 24th, from major Lee, was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 20th, from col. G. Baylor, was read:

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That gen. Washington be authorized to call, if he thinks proper, the commander of the artillery to the council ordered to be convened for settling such a plan for the general operations of the ensuing campaign, as gen. Washington shall deem consistent with the general welfare of these states.

The board of treasury, to whom was referred the certificate of brigadier Smallwood, in favor of the Rev. Mr. J. Montgomery, brought in a report; Whereupon,

*Resolved*, That the Rev. Mr. J. Montgomery be allowed the pay of a brigade chaplain for the time of his service in that capacity, agreeably to brigadier Smallwood's certificate, viz. from June last.

*Resolved*, That the Rev. Mr. J. Montgomery be appointed chaplain to brigadier Smallwood's brigade.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 250,000 dollars be paid to Joseph Nourse, pay-master to the board of war and ordnance, to be by him transmitted to Ebenezer Hancock, esq. deputy pay-master general, for the use of his department; he to be accountable.

*Resolved*, That the board of war and ordnance transmit to gen. Heath proper directions with respect to the route, by which he is to send to the treasurer the hard money belonging to the United States.

Congress resumed the consideration of the report of the committee of the whole, respecting a provision for the officers after the war; Whereupon, it was moved, and

*Resolved*, That nothing contained in the foregoing resolution shall be construed to extend to prevent the United States from redeeming, at any time, the half-pay of such officers as they judge proper, by paying them a sum equal to six years half-pay.

Sundry amendments being made in the report;

*Ordered*, That the farther consideration thereof be postponed.

Adjourned to nine o'clock to-morrow.

**TUESDAY, April 28, 1778.**

*Resolved*, That major-gen. Gates be empowered to appoint two such persons from the line as he may think proper, to act as additional aids-de-camp.

A letter of the 23d, from major-general M'Dougall, at Fishkill, with sundry papers enclosed, was read:

*Ordered*, That extracts of the said letter be sent to the treasury, and that the letter, with the papers enclosed, be referred to the board of war.

A letter, of the 22d, from major-general Conway, was read, requesting leave to resign his commission:

Whereupon, it was moved, that his resignation be accepted:

Question put, and the yeas and nays required,



<i>Massa's-Bay</i> , Mr. Gerry,	no	} ay	<i>Maryland</i> , Mr. Chase,	ay
Lovell,	ay		Platter,	ay
Dana,	ay		Carroll,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	Henry,	ay
<i>Connecticut</i> , Mr. Sherman,	ay		<i>Virginia</i> , Mr. F. L. Lee,	ay
Huntington,	ay		Barister,	ay
Wolcott,	ay	} ay	T. Adams,	ay
<i>New-York</i> , Mr. Duer,	ay		<i>S.-Carolina</i> , Mr. Laurens,	ay
G. Morris,	ay		Drayton,	ay
<i>New-Jersey</i> , Mr. Scudder,	ay	} ay	Matthews,	ay
<i>Pennsylvania</i> , Mr. J. B. Smith,	ay		Hutson,	ay
Clingan,	ay			

A letter, of the 28th, from Mr. Burke, was read, informing, that the instrument authenticating his last election as a delegate from North-Carolina, dated May the 4th, 1777: "That both his colleagues have informed him that they believed the election was made on the 28th of April preceding;" that "the constitution of the state requires the election of delegates to be annual," &c. expressing his belief "that his power of representing the state is at an end;" intimating that "the instrument referred to is in the journals of Congress, and they can determine whether his attendance be longer commanded;" and requesting "their opinion thereon;" he is absenting himself may not be deemed a contempt or breach of duty. Whereupon, a motion was made, that Mr. Burke be directed to his duty in Congress:

Question put, passed in the negative.

A motion was then made, that Mr. Burke be informed, that Congress consider him as a delegate from the state of North-Carolina, till the order of his state shall direct otherwise:

The previous question was moved, whether that question should be put? and the yeas and nays being required,

<i>Massa's-Bay</i> , Mr. Gerry,	no	} no	<i>Maryland</i> , Mr. Chase,	ay
Lovell,	no		Platter,	ay
Dana,	no		Carroll,	ay
<i>Rhode-Island</i> , Mr. Ellery,	no	} no	Henry,	ay
<i>Connecticut</i> , Mr. Sherman,	no		<i>Virginia</i> , Mr. F. L. Lee,	ay
Huntington,	ay		Barister,	ay
Wolcott,	no	} ay	T. Adams,	ay
<i>New-York</i> , Mr. Duer,	ay		<i>S.-Carolina</i> , Mr. Laurens,	ay
G. Morris,	ay		Drayton,	ay
<i>New-Jersey</i> , Mr. Scudder,	no	} no	Hutson,	ay
<i>Pennsylvania</i> , Mr. J. B. Smith,	no		Matthews,	ay
Clingan,	no		<i>Georgia</i> , Mr. Langworth,	ay

So it passed in the negative.

A motion was made to resolve

That Mr. Buri

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*Massa's-Bay*, Mr.

*Rhode-Island*, Mr.  
*Connecticut*, Mr.

*New-York*, Mr.

*New-Jersey*, Mr.  
*Pennsylvania*, Mr.

So it passed in

*Resolved*, That 50,000 dollars be advanced to major Lee, on account, for the purpose of purchasing horses, and towards recruiting and equipping his corps.

The committee on the treasury brought in a report; Whereupon,

*Resolved*, That the pay of a secretary of a major-general, acting in a separate department, be increased to 50 dollars a month.

*Ordered*, That 100,000 dollars be paid to the delegates of Maryland, to be by them transmitted to the governor and council of their state, on whose application, by order of the general assembly, this sum is advanced; the said state to be accountable.

Adjourned to nine o'clock to-morrow.

### WEDNESDAY, April 29, 1778.

A letter, of the 16th, from major-general Schuyler, with sundry papers enclosed, relative to Indian affairs, was read:

*Ordered*, That it be referred to the committee on Indian affairs.

*Resolved*, That three members be added to that committee: the members chosen, Mr. Drayton, Mr. T. Adams, and Mr. J. B. Smith.

Another letter, of the 16th, from major-general Schuyler, was read:

*Resolved*, That a committee of three be appointed to examine the evidence collected, and state charges against the general officers who were in the northern department when Ticonderoga and Mount-Independence were evacuated: the members chosen, Mr. Sherman, Mr. Drayton, and Mr. Dana.

*Ordered*, That the letter lie on the table.

A letter, of the 27th, from gen. Washington, with an extract of a letter from major-general Heath, and sundry other papers enclosed, was read:

*Ordered*, That the extract of the letter from major-general Heath be referred to the board of treasury:

That the letter from gen. Washington, with the other papers enclosed, be referred to the committee of intelligence.

A letter, of the 28th, from the board of war, was read:

*Ordered*, That it be referred to the board of treasury.

Two letters, of the 24th, from gov. Rodney, were read:

*Ordered*, That they be referred to the committee appointed for the purposes expressed in sundry resolutions passed the 20th instant.

A letter, of the 17th, from major de Bois, was read:

*Ordered*, That it be referred to the board of war.

Congress proceeded to the election of members for the marine committee, in the room of such as are absent; and the ballots being taken, Mr. Scudder was elected for New-Jersey; Mr. Plater for Maryland; Mr. T. Adams for Virginia.

The commissioners of accounts at the treasury-board, with the approbation of the auditor-general, report,

That there is due to major James Armstrong Wilson, for his independent company, stationed at Carlisle, for the purpose of guarding public stores, two months' pay, commencing the 1st of February, and ending the 31st of March last, both days included, 843 10-90 dollars; and to twelve men belonging to different regiments in gen. Wayne's division, doing duty with major Wilson's company, their pay, commencing and ending the same time, 150 40-90 dollars:

That there is also due to capt. Samuel Postlethwaite's company, likewise stationed at Carlisle, for the same purpose, their pay from their first establishment to the 31st of March, inclusive, amounting to 1468 48-90 dollars:

That there is also due to captain Postlethwaite, for taking up four deserters belonging to different regiments, the account of which will be sent to the pay-master general, the sum of 52 dollars; the whole amounting to

2514 44-90 dollars, from which is to be deducted 1000 dollars, part of 2020 dollars, which were formerly advanced to major Wilson, the balance to be paid to major Wilson, by a warrant on the treasurer, 1514 44-90 dollars :

*Ordered*, That the said sum be paid.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 65,000 dollars be paid to lieutenant Morrow, to be by him conveyed to col. Baylor, in Virginia, for the purpose of purchasing horses, arms, and accoutrements for the cavalry :

That a warrant issue on William Armistead, esq. commissioner of the loan-office in the state of Virginia, in favor of col. Baylor, for the sum of \$5,000 dollars, to answer the same purpose; for both which sums, amounting to 100,000 dollars, the said col. Baylor is to be accountable.

*Resolved*, That for the space of ten days, commencing to-morrow, Congress meet precisely at ten. and adjourn at one, and on the same day, meet precisely at three, and adjourn at six o'clock, P. M. and that Congress be not, on any account whatever, kept over the times fixed for adjournment, if any one state shall insist upon adjourning.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, April 30, 1778.

*Resolved*, That Mr. John Mease and Mr. Joseph Bullock, be appointed managers of the United States' lottery.

*Resolved*, That the salary of the secretary of the board of war and ordnance, be 1200 dollars per annum.

A letter, of the 28th, from Mr. Matthew Clarkson, at camp, was read :

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That no commissioned officer in the army of the United States, who shall be honored with a brevet commission, shall be entitled, by virtue of such brevet commission, to any higher rank in the regiment, troop, or company to which he belongs, than he before held therein; such brevet commission giving rank only upon detachments from the line, and in general courts-martial; nor shall such brevet officer be entitled to receive any additional pay in consequence of such brevet promotion.

*Resolved*, That major Ebenezer Stevens, in consideration of his services and the strict attention with which he discharged his duty as commanding officer of artillery in the northern department, during two campaigns, take rank by brevet as a lieutenant-colonel of foot, and that he be commissioned accordingly.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Mr. Joseph Nourse, pay-master to the board of war and ordnance, for 100,000 dollars, to be by him forwarded to Ebenezer Hancock, esq. deputy pay-master general in the eastern district, for the use of his department; for which he is to be accountable :

That another warrant issue on the treasurer in favor of the said Mr. Joseph Nourse, for 100,000 dollars, to be by him transmitted to col. Benjamin Flower, commissary-general of military stores, for the use of his department; for which he is to be accountable :

That another warrant issue on the treasurer in favor of the said Mr. Joseph Nourse, for 250,000 dollars, to be by him transmitted to Peekskill, and delivered to Jonathan Trumbull, jun. esq. pay-master, or in his absence, to his deputy there; the said J. Trumbull to be accountable :

That a warrant issue on Derk Ten Broek, esq. commissioner of the continental loan-office in the state of New-York, in favor of the said Jonathan Trumbull, jun. esq. for 100,000 dollars, for the use of his department, and for which he is to be accountable.

Congress proceeded to take into consideration the state of America with respect to foreign nations, when sundry letters and papers were called for and laid on the table, and the reading thereof begun and continued to one o'clock.

THREE O'CLOCK, P. M.

The letters and papers called for being read, a motion was thereupon made.

Adjourned to ten o'clock to-morrow.

FRIDAY, May 1, 1778.

A letter, of April 29th, from col. B. Flower, to the board of war and ordnance, was laid before Congress, and read: Whereupon,

*Resolved*, That it be recommended to the several states to empower the executive authority of such states, from time to time, to grant exemptions from duty in the militia, to such persons as may be employed in manufacturing military stores, and other articles, for the use of the United States.

A memorial from Messrs. F. Hopkinson and J. Wharton, was read:

*Ordered*, That it be referred to the marine committee.

A letter, of April 30th, from Mr. J. Nourse, was read:

*Ordered*, That it be referred to the board of treasury.

A petition from sundry soldiers of the late capt. Stevenson's company, of Berkley county, Virginia, was read:

*Ordered*, That it be referred to the board of war.

A memorial from William Burke, late captain of the armed schooner Warren, was read: Whereupon,

*Resolved*, That a commission of captain in the continental navy be granted to William Burke; and that he rank from the date of his commission.

*Resolved*, That captain William Burke receive pay from the time he was appointed to the command of the armed schooner Warren to this day, according to the rate of pay settled when he was so appointed.

Congress resumed the consideration of the motion made yesterday, and, after debate,

*Ordered*, That the farther consideration thereof be postponed.

THREE O'CLOCK, P. M.

Mr. R. H. Lee, a delegate from Virginia, attended and took his seat in Congress.

The commissioners of claims, with the approbation of the auditor-general, report,

That there is due to captain Martin Pfifer, commanding an independent troop of light-horse, from North-Carolina, a balance amounting to 37 45-90 dollars, in bringing forward the said troop, and for pay advanced the first, second, and third troop, for the month of September last:

To Joseph Funk, for sundry joiners' work done at the treasury office, 70 60-90 dollars:

To Oliver Wolcott, esq. commissioner for Indian affairs in the northern department, up to the 15th of January, 1778, 285 dollars for 45 days, at four dollars per day, and for his expenses:

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 150,000 dollars be paid to John Collins, esq. to be by him conveyed to the governor and council of the state of Rhode-Island; it being advanced to the said state, and delivered agreeably to gov. Cook's letter of the 4th of April:

That 500 dollars be paid to Mr. N. Scudder, delegate from the state of New-Jersey, advanced on his application, and for which the said state is to be accountable:

That 1000 dollars be paid to Mr. E. Langworthy, a delegate from the state of Georgia, advanced on his application ; for which the said state is to be accountable.

Congress resumed the consideration of the state of these United States with respect to foreign nations ; Whereupon,

*Resolved*, That a committee of three be appointed to report proper instructions to be transmitted to the commissioners of the United States at foreign courts : the members chosen, Mr. R. H. Lee, Mr. G. Morris, and Mr. Sherman.

*Resolved*, That the marine committee be directed to procure immediately six of the best and swiftest sailing packet-boats, for conveying despatches to and from France and Spain and the West-Indies.

The committee of commerce reported, that they have received from the board of war an invoice of articles to be imported from France, for the campaign of 1779, together with a list of medicines, which they beg leave to submit to the consideration of Congress :

The invoices being read, and some alterations made therein,

*Ordered*, That the committee of commerce transmit the invoices as corrected, and give the necessary directions for importing the goods therein mentioned.

Adjourned to ten o'clock to-morrow.

#### SATURDAY, May 2, 1778.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the commissioner of the continental loan-office in the state of Rhode-Island, for 150,000 dollars, in favor of the governor and council of that state ; it being advanced agreeably to governor Cook's letter of the 4th of April ; the said state to be accountable.

*Ordered*, That there be paid to Nathan Sellers, for making a fine paper mould to manufacture paper for bills of exchange, and for his expenses coming to York-town, and returning home, 164 50-90 dollars :

*Resolved*, That the managers of the lottery be authorized to employ their agents in each state, to pay off the prizes of the tickets sold by them respectively ; and, for this purpose, to draw upon the several continental loan-offices for so much of the money arising on the sales of the tickets, and deposited in such offices, respectively, as they shall find necessary to pay off such prizes :

That the several agents be instructed by the managers, previous to the payment of prizes not of the lowest denomination in each class, to receive the tickets entitling the possessors to such prizes, give receipts for the same, and transmit them to the managers for their examination, with the names of the respective owners endorsed thereon, and specifying which of the said prizes are, at the owner's request, to be paid in loan-office certificates :

That the loan-office certificates which may issue for prizes of the second class of the lottery of the United States, shall bear an interest of six per cent. per annum ; any resolution to the contrary notwithstanding :

That the managers be directed, forthwith, to prepare and make sale of the tickets of the second class of the lottery ; that the drawing thereof commence the first of January next, and be completed as soon as may be, and that all the tickets then unsold be the property and at the risk of the United States :

That loan-office certificates of the following denominations, bearing an interest of four per cent. per annum, be struck, under the directions of the board of treasury, to be issued to such fortunate adventurers in the first class as may be entitled to and apply for the same, viz.

50	certificates, of 1000 dollars each,	50,000
400	do. of 500 do.	200,000

**Resolved,** That the committee appointed to superintend the publication of the journals of Congress, be empowered and instructed to employ Mr. John Dunlap to continue printing the said journals, instead of Robert Aitkin.

Congress took into consideration the report of the committee to whom was referred the letter from the commissioners at Pittsburg; Whereupon,

**Resolved,** That two regiments be raised in Virginia and Pennsylvania, to serve for one year, unless sooner discharged by Congress, for the protection of, and operations on the western frontiers; twelve companies in Virginia and four in Pennsylvania; each non-commissioned officer and soldier to receive 20 dollars bounty, and the same clothing with the other continental soldiers: Every non-commissioned officer and soldier who shall find his own blanket, musket or rifle and accoutrements, shall have the same allowance as is given by Congress to the drafts from the militia for filling up the continental regiments:

That brigadier Hand be recalled from his command at Pittsburg, agreeably to his request:

That a proper officer be immediately sent to take command on the western frontiers:

That a proper person be appointed to perform the duties of quarter-master, commissary and pay-master to the militia of the counties of Rockingham, Augusta, Rockbridge, Bottetourt, Montgomery, Washington and Greenbriar, in Virginia:

That the commissioners at Fort-Pitt, or in their absence, the officer appointed to command on the western frontier, be authorized to appoint a person to perform the duties aforesaid, and the officers necessary for commanding the battalions above mentioned:

That gen. Washington be desired to appoint the officer to take the command at Fort-Pitt and the western frontiers, and that a copy of the commissioners' letter be sent to the general.

Adjourned to ten o'clock on Monday.

During the adjournment, Mr. Simeon Deane, brother to Silas Deane, esq. one of the commissioners at the court of Versailles, arrived express from France, with sundry important despatches; Whereupon,

Congress was convened, and the despatches opened and read, among which are a treaty of commerce and a treaty of alliance, concluded between his most Christian majesty the king of France and the United States of America, on the 6th day of February, 1778.

#### MONDAY, May 4, 1778.

A letter, of the 30th of April, from gen. Washington, was read:

**Ordered,** That it be referred to a committee of three: the members chosen, Mr. R. H. Lee, Mr. Drayton and Mr. Chase.

Two letters, of the 1st, from gen. Washington, were read.

A letter, of the 2d, from the council of Pennsylvania, with sundry papers enclosed, was read:

**Ordered,** That an extract of the said letter, relative to money, be referred to the board of treasury, and that the letter, with the papers enclosed, be referred to the committee for Indians affairs.

A letter, of April the 24th, from James Duane, esq. was read:

**Ordered,** That copies thereof be sent, one to gen. Washington, and one to general Gates.

A letter, of April the 29th, from gen. Green, quarter-master general, was read:

**Ordered,** That it be referred to the board of treasury.

A letter, of January the 24th, and one, of February the 2d, from Messrs. Hughes and Smith, enclosing bills of exchange drawn by them on the committee of commerce, were read:



*Ordered*, That they be referred to the board of treasury.

A letter, of April the 21st, from gen. Heath, was read :

*Ordered*, That it be referred to the board of treasury.

A report from the board of war, dated April the 16th, was read :

*Ordered*, That it be referred to the board of treasury.

A petition from the Rev. Mr. Lotbinier, was read :

*Ordered*, That it be referred to the board of treasury.

Congress took into consideration the treaties concluded between his most Christian majesty the king of France and the United States of America, which was read.

### THREE O'CLOCK, P. M.

The committee to whom was referred the letter of April the 16th, from major-general Schuyler, with sundry papers enclosed, brought in a report, which was taken into consideration ; Whereupon,

*Resolved*, That gen. Gates be directed to afford all that protection to the Oneida and Tuscarora tribes, and others of the Six Indian Nations, which the commissioners for Indian affairs in the northern department, promised them in behalf of the United States ; and that a copy of the resolution of the said commissioners, passed on this subject, the 15th day of April last, be transmitted to general Gates :

That Mr. James Deane, agent and interpreter for the commissioners of Indian affairs in the northern department, have his annual salary augmented to 600 dollars, to commence from the first day of January last ; and that the said commissioners be authorized to allow him such sums for his extra expenses as they shall judge reasonable :

That the said commissioners be authorized to draw on Jonathan Trumbull, esq. pay-master in the northern department, for 10,000 dollars, for purchasing goods to open a trade at Fort-Schuyler with such of the Six Indian Nations as they shall judge proper, and that the said commissioners appoint some suitable person or persons to superintend and manage the said trade, under such regulations as they shall make, taking care that the said trade be not attended with any expense to the United States, if the end which Congress have in view, which is to provide for and conciliate the affections of the said Indians, can be obtained upon such terms.

Congress resumed the consideration of the treaty of amity and commerce concluded at Paris, the 6th day of February 1778, between the most Christian king and the United States of America ; and the same being read, duly weighed and considered,

*Resolved, unanimously*, That the same be, and is hereby ratified.

Congress also took into consideration the treaty of alliance, concluded at Paris, on the 6th day of February, 1778, between the most Christian king and the United States of America ; and the same being read, duly weighed and considered,

*Resolved, unanimously*, That the same be, and is hereby ratified.

Congress also took into consideration the act separate and secret, concluded at Paris, the 6th day of February, 1778, between his most Christian majesty and the United States of America ; and the same being duly weighed,

*Resolved, unanimously*, That the same be, and is hereby ratified.

*Resolved*, That this Congress entertain the highest sense of the magnanimity and wisdom of his most Christian majesty, so strongly exemplified in the treaty of amity and commerce, and the treaty of alliance, entered into on the part of his most Christian majesty, with these United States, at Paris, on the 6th day of February last ; and the commissioners, or any of them, representing these states at the court of France, are directed to present the grateful acknowledgments of this Congress to his most Christian majesty, for his truly magnanimous conduct respecting these states, in the said generous

and disinterested treaties, and to assure his majesty, on the part of this Congress, it is sincerely wished that the friendship so happily commenced between France and these United States may be perpetual.

*Resolved*, That a committee of three be appointed to prepare the form of a ratification of the foregoing treaties: the members chosen, Mr. R. H. Lee, Mr. Dana, and Mr. Drayton.

Adjourned to ten o'clock to-morrow.

TUESDAY, *May 5*, 1778.

On motion, *Resolved*, That a passport and safe conduct be granted to Mrs. Prevost, wife of brigadier Prevost, now at Augustine, that she may return to Europe.

A letter of the 3d, and one of the 4th, from gen. Washington, were read, the latter enclosing a letter and account from general lord Sterling:

*Ordered*, That the letter and account from gen. lord Sterling, be referred to the board of treasury.

A letter, of the 1st, from gen. Greene, quarter-master-general, was read.

*Resolved*, That the board of war be directed to send, without delay, a person of diligence and skill to Virginia, there to enquire into the state and condition of the salted pork and beef purchased for the use of the army; that he be directed to pass along the different stages where the said provisions may be lodged, as at Georgetown, Alexandria, Dumfries, Cave's ware-house, Fredericksburgh, &c. &c. and examine into the conduct of all deputy commissaries, deputy quarter-masters, and deputy wagon-masters, on the said route: and where he shall discover any misconduct in the said officers, either by neglecting to forward the provisions to the camp, or by suffering the same to be damaged, or by misconducting the wagonage to the public injury, that he report the result of such enquiry to the heads of the respective departments, and to the governor of Virginia, together with the state and condition in which he shall find the provisions; and that he cause necessary coöperation, fresh brine, smoking, and other necessary precautions to be taken, for the preservation of the public provisions; and that he cause all prudent expedition to be used in forwarding the sound provisions quickly to the army.

Mr. P. Livingston, a delegate from the state of New-York, attended, and took his seat in Congress.

*Resolved*, That the commissioners, or any one of them, representing these states at the court of France, be instructed to inform that court that, although Congress have readily ratified the treaties of amity and commerce, and treaty of alliance, and the act, separate and secret, between his most Christian majesty and these United States, in order to evince more clearly their sense of the magnanimity and goodness of his most Christian majesty, evidenced in the said treaties; yet, from a sincere desire of rendering the friendship and alliance, so happily begun, permanent and perpetual, and being apprehensive that differences may arise from the 11th and 12th articles in the treaty of amity and commerce, Congress are desirous that the said 11th and 12th articles may be revoked and utterly expunged:

The commissioners, or any one of them, are therefore instructed to use their best endeavors to procure the abolition of the said 11th and 12th articles of the said treaty.

The committee appointed to prepare the form of a ratification, brought in the same, which was read and agreed to, as follows:

The Congress of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, by the grace of God, sovereign, free and independent; to all who shall see these presents, greeting:

Whereas, in and by our commission, dated at Philadelphia, the 30th day

of September, in the year of our Lord one thousand seven hundred and seventy six, Benjamin Franklin, one of the delegates in Congress from the state of Pennsylvania, and president of the convention of the said state, &c. Silas Deane, late a delegate from the state of Connecticut, and Arthur Lee, barrister at law, were nominated and appointed our commissioners, with full powers to treat, agree, and conclude with his most Christian majesty the king of France, or with such person or persons as should be by him for that purpose authorized, of and upon a true and sincere friendship, and a firm, inviolable, and universal peace, for the defence, protection, and safety of the navigation and mutual commerce of the subjects of his most Christian majesty and the people of the United States, we, promising in good faith to ratify whatsoever our said commissioners should transact in the premises; and, whereas, our said commissioners, in pursuance of their full powers, on the 6th day of February last, at Paris, with Conrad Alexander Gerard, royal syndic of the city of Strasburg, secretary of his most Christian majesty's council of state, by virtue of powers plenipotentiary to him granted by his most Christian majesty, and dated the 30th day of January, in the year of our Lord one thousand seven hundred and seventy-eight, did conclude and sign, on the part of the crown of France, and of the United States of America, a (treaty of amity and commerce, or treaty of alliance, or act separate and secret) in the following words, (here insert the respective treaties verbatim, French and English.)

Now know ye, that we, the said Congress, have unanimously ratified and confirmed, and by these presents do ratify and confirm the said treaty, and every part, article, and clause thereof, on our part concluded and signed as aforesaid; and further do authorize and direct our commissioners at the court of France, or any of them, to deliver this our act of ratification in exchange for the ratification of the said treaty on the part of his most Christian majesty the king of France and Navarre.

Done in Congress at York-town, in the state of Pennsylvania, this 4th day of May, in the year of our Lord one thousand seven hundred and seventy-eight.

In testimony whereof, the president, by order of the said Congress, hath hereunto subscribed his name and affixed his seal.

President. (L. S.)

Attest.

Secretary.

*Ordered*, That six copies of the treaties, with the ratification agreed to, be made out and transmitted by the committee for foreign affairs to the commissioners of the United States at the court of France, by different conveyances.

*Ordered*, That the marine committee provide vessels for carrying the said despatches.

*Ordered*, That the committee appointed to prepare the form of a ratification, be directed to prepare a proper publication on the present occasion.

THREE O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of Moses Black, for the sum of 54,387 60-90 dollars, in discharge of the following draughts of Otis and Andrews, in favor of Philip Moore, and endorsed to the said M. Black, viz.

One dated 1st April, 1778, at three days' sight, for 3,333 30-90 dollars; one dated 2d of April, 1778, at one day's sight, for 3,333 30-90 dollars; one dated 3d of April, 1778, at one day's sight, for 3,333 30-30 dollars; one dated 4th of April, 1778, at three days' sight, for 40,000 dollars; one dated 13th of April, 1778, at four days' sight, for 4,387 60-90 dollars; which

sums are paid at the instance of James Mease, esq. clothier-general, and to be charged to his account.

*Ordered*, That a warrant issue on the treasurer in favor of col. Charles Stewart, commissary-general of issues, for the sum of 40,000 dollars, for the use of his department, and to be charged to his account.

*Ordered*, That 400,000 dollars be paid to William Buchanan, esq. late commissary-general of purchases, 200,000 dollars of which, for the payment of debts by him contracted in the northern, and 200,000 dollars for the payment of debts contracted in the southern district; which sum is to be charged to his account.

*Ordered*, That 1934 60-90 dollars, be paid to Daniel Joy, it being the amount of his account, liquidated by the board of war, for proving cannon, for the use of the United States.

*Ordered*, That a warrant issue on the treasurer in favor of gen. Green, quarter-master general, for 3,000,000 of dollars, for the use of his department, and to be charged to his account.

*Resolved*, That the officers appointed to command the two battalions ordered to be raised in Virginia and Pennsylvania, for the defence of the western frontiers, be no longer continued in pay, nor be considered as continental officers, longer than the said regiments are continued in service.

The committee to whom was referred the letter of April the 30th, from gen. Washington, brought in a report: Whereupon,

*Resolved*, That Congress approve gen. Washington's plan for the institution of a well organized inspectorship:

That baron Steuben be appointed to the office of inspector-general, with the rank and pay of major-general; his pay to commence from the time he joined the army and entered into the service of the United States:

That there be two ranks of inspectors, under the direction of the inspector-general, the first to superintend two or more brigades, and the other to be charged with the inspection of only one brigade.

That the officers appointed inspectors receive, in addition to the pay which they derive from their rank, 30 dollars a month; and that the brigade-inspectors receive, in addition to their pay, 20 dollars a month:

That gen. Washington be authorized to appoint such persons to be inspectors and brigade-inspectors for the main army, as he shall think best qualified to execute the several duties of those offices.

*Resolved*, That the pay of the auditors of the army be hereafter augmented to five dollars a day, and that each of them be allowed forage for his servant's horse whilst in camp.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, May 6, 1778.

A letter, of April 27th, from John Baynton, pay-master at Fort-Pitt, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of April 27th, from the commissioners at Fort-Pitt, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to the board of war, who are directed to report thereon.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 16,000 dollars be paid to the marine committee, to enable them to make a partial payment to William Smith, esq. for iron and flour purchased by him for the use of the navy in the eastern department; for which they are to be accountable:

That 18,306 dollars be paid to the committee of commerce, to discharge three bills of exchange drawn upon them by Messrs. Hewes & Smith, commercial agents at Edenton, North-Carolina; the said committee to be accountable.

The committee appointed to prepare a publication, brought in a draught which was read, and after debate,

*Resolved*, That the same be re-committed.

*Resolved*, That Mr. G. Morris be added to the committee.

### THREE O'CLOCK, P. M.

The committee to whom was re-committed the draught for publication brought in another draught, which was taken into consideration, and put to as follows :

Whereas, Congress have received from their commissioners at the court of France, copies of a treaty of amity and commerce, and of a treaty of alliance, between the crown of France and these United States, duly sent into and executed at Paris, on the 6th day of February last, by a commissioner properly authorized by his most Christian majesty on the one part, and their commissioners on the other part : and whereas, the said treaties have been maturely considered and unanimously ratified and confirmed by Congress, in which said treaty of amity and commerce are the articles following: (here insert Art. 6, 7, 14, 15, 16, 17, 20, 21, 25, 26, 27, and 29, viz. the rights of the passports.) Now, therefore, to the end, that the said treaties be well and faithfully performed and kept on the part and behalf of these United States :

*Resolved*, That all captains, commanders, and other officers and men belonging to any vessels of war of these United States, or any of them, or of any private armed vessels commissioned by Congress, and all other subjects of these United States, do govern themselves strictly in all things according to the above recited articles ; and that they do afford them aid and protection to the persons, commerce and property of the subjects of his most Christian majesty, as is due to the persons, commerce and property of the inhabitants of these United States ;

And further it is recommended to all the inhabitants of these United States, to consider the subjects of his most Christian majesty as their brethren and allies, and that they behave towards them with the friendship and regard due to the subjects of a great prince, who, with the highest magnanimity and wisdom hath treated with these United States on terms of perfect equality and mutual advantage, thereby rendering himself the protector of the rights of mankind.

On motion, *Resolved*, That when any ship or vessel of war in the service of the United States shall be lost by capture or otherwise, a court of enquiry, consisting of that continental navy-board which shall by the committee of Congress be directed to proceed therein, or any three persons that such navy-board may appoint, be held to enquire into the cause of the loss ; and if it shall appear that the same was occasioned by the negligence or mal-conduct of the captain or any commissioned-officer belonging to the ship or vessel of war so lost, that then a court-martial be held to try the officer so offend-  
collected, as by the court-martial, otherwise of five persons, to be appointed for that purpose appoint ; and on trial that the same commanding-officer, if found guilty, suffer death ; and if the loss be occasioned by any other cause, that such court-martial can

*Resolved*, That when any ship or vessel of these states are in capture or otherwise,



be held to enquire into the causes thereof ; and if it should appear that such loss was occasioned by the mal-conduct or negligence of any captain or commanding-officer of any other ship or vessel in company as aforesaid, then a court-martial, constituted as before-mentioned, shall be held for the trial of the officer so offending ; and if the loss should be by capture, and it should appear on trial that such capture was occasioned by the cowardice or treachery of such captain or commanding-officer by withholding his assistance from the ship or vessel of war so captured, then and in that case such captain or commanding-officer shall suffer death ; but if it shall appear that the loss happened through any other mal-conduct of such captain or commanding-officer, then he shall be by such court-martial cashiered.

*Resolved*, That if, upon enquiry as aforesaid into the conduct of any officer or officers in the service of these states, it shall appear that they or any of them shall have offended in any instance mentioned in these resolutions, it shall be in the power of the navy-board to suspend such officer or officers until a trial by court-martial shall be had, and the navy-board shall forthwith transmit to the marine-committee the proceedings of such court of enquiry, with their doings in consequence thereof ; and to Congress all the proceedings of courts-martial, when any shall be had, previous to the execution of any capital sentence, that shall be by such court-martial awarded ; to the end that Congress may extend their mercy to such offenders as they may judge to be proper objects thereof.

*Resolved*, That these resolves continue in force one year from the date hereof, and no longer.

*Resolved*, That a committee of three be appointed to prepare an address to the inhabitants of these states, upon the present situation of public affairs : the members chosen, Mr. R. H. Lee, Mr. Chase and Mr. G. Morris.

A letter from the board of war was read :

*Ordered*, That it be referred to a committee of three :

The members chosen, Mr. Huntington, Mr. Carroll and Mr. Sherman.

Congress took into consideration a report of the board of treasury of the 5th ; Whereupon,

*Resolved*, That William Palfrey, pay-master general, be allowed the additional pay of 100 dollars a month, from the date of this resolution, until Congress shall otherwise order.

Adjourned to ten o'clock to-morrow.

#### THURSDAY May 7, 1778.

Congress took into consideration the report of the committee, on the report and proceedings of the committees of the several states that met at New-Haven in January, and on the resolves from North-Carolina ; and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed.

The board of war having recommended Nathaniel Chapman, esq. to be captain of the additional company to colonel Flower's regiment of artillery-artificers ; John Jordan, esq. to be captain, in the room of David Pancoast, resigned ; and, Henry Strape and Theophilus Park, lieutenants in the same corps ;

*Resolved*, That they be appointed, and that commissions be granted to them accordingly.

The board of treasury brought in a report ; Whereupon,

*Ordered*, That 2066 60-90 dollars, be paid to William Hoffman, paper-maker, being so much advanced him on account.

*Resolved*, That the resolution of Congress of the 15th of January, 1777, empowering the continental treasurer to borrow money on loan-office certificates, be, and it hereby is repealed and annulled.





For, even whilst we were prostrated at the foot of the throne, that fatal blow was struck, which hath separated us for ever. Thus spurned, contemned, and insulted ; thus driven by our enemies into measures, which our souls abhorred ; we made a solemn appeal to the tribunal of unerring wisdom and justice : to that Almighty Ruler of princes, whose kingdom is over all.

We were then quite defenceless. Without arms, without ammunition, without clothing, without ships, without money, without officers skilled in war ; with no other reliance but the bravery of our people and the justice of our cause. We had to contend with a nation great in arts and in arms, whose fleets covered the ocean, whose banners had waved in triumph through every quarter of the globe. However unequal this contest, our weakness was still farther increased by the enemies which America had nourished in her bosom. Thus exposed, on the one hand, to external force and internal divisions ; on the other, to be compelled to drink the bitter cup of slavery, and to go sorrowing all our lives long ; in this sad alternative, we chose the former. To this alternative we were reduced by men, who, had they been animated by one spark of generosity, would have disdained to take such mean advantage of our situation ; or, had they paid the least regard to the rules of justice, would have considered with abhorrence a proposition to injure those, who had faithfully fought their battles, and industriously contributed to rear the edifice of their glory.

But, however great the injustice of our foes in commencing this war, it is by no means equal to that cruelty with which they have conducted it. The course of their armies is marked by rapine and devastation. Thousands, without distinction of age or sex, have been driven from their peaceful abodes, to encounter the rigors of inclement seasons ; and the face of Heaven hath been insulted by the wanton conflagration of defenceless towns. Their victories have been followed by the cool murder of men, no longer able to resist ; and those who escaped from the first act of carnage, have been exposed, by cold, hunger, and nakedness, to wear out a miserable existence in the tedious hours of confinement, or to become the destroyers of their countrymen, of their friends, perhaps, dreadful idea ! of their parents or children. Nor was this the outrageous barbarity of an individual, but a system of deliberate malice, stamped with the concurrence of the British legislature, and sanctioned with all the formalities of law. Nay, determined to dissolve the closest bonds of society, they have stimulated servants to slay their masters in the peaceful hour of domestic security. And, as if all this were insufficient to slake their thirst of blood, the blood of brothers, of unoffending brothers, they have excited the Indians against us ; and a general, who calls himself a Christian, a follower of the merciful Jesus, hath dared to proclaim to all the world, his intention of letting loose against us whole hosts of savages, whose rule of warfare is promiscuous carnage, who rejoice to murder the infant smiling in its mother's arms, to inflict on their prisoners the most excruciating torments, and exhibit scenes of horror from which nature recoils.

Were it possible, they would have added to this terrible ; system for they have offered the inhabitants of these states to be exported by their merchants to the sickly baneful climes of India, there to perish ; an offer not accepted of, merely from the impracticability of carrying it into execution.

Notwithstanding these great provocations, we have treated such of them as fell into our hands with tenderness, and studiously endeavored to alleviate the afflictions of their captivity. This conduct we have pursued so far as to be by them stigmatized with cowardice, and by our friends with folly. But our dependence was not upon man ; it was upon Him who hath commanded us to love our enemies, and to render good for evil. And what can be more wonderful than the manner of our deliverances ? How often have we been reduced to distress, and yet been raised up ? When the means to prosecute

the war have been wanting to us, have not our foes themselves been rendered instrumental in providing them? This hath been done in such a way of instances, so peculiarly marked, almost by the direct interposition of Providence, that not to feel and acknowledge his protection would be the height of impious ingratitude.

At length that God of battles, in whom was our trust, hath conducted us through the paths of danger and distress to the thresholds of victory. It hath now become morally certain, that, if we have courage to persevere, we shall establish our liberties and independence. The haughty prince hath spurned us from his feet with contumely and disdain, and the parliament who proscribed us, now descend to offer terms of accommodation. What a full career of victory, they pulled off the mask, and avowed their insatiable despotism: but having lavished in vain the blood and treasure of their subjects, in pursuit of this execrable purpose, they now endeavor to come to terms with the insidious offers of peace. They would seduce you into a dependence, which necessarily inevitably lead to the most humiliating slavery. And do they believe that you will accept these fatal terms? Behold we have suffered the distresses of war, do they suppose that you will bow the knee to the dust, before the feet of your destroyers? Can there be an American lost to the feelings which adorn human nature? to the generous pride, to the elevation, the dignity of freedom! Is there a man who would not show independence upon those who have deluged his country in the blood of its inhabitants? We cannot suppose this; neither is it possible that they themselves can expect to make many converts. What, then, is their intention? To lull you with the fallacious hopes of peace, until they can assemble armies to prosecute their nefarious designs? If this is not the case, why do they strain every nerve to levy men throughout their islands? Why do they court every little tyrant of Europe to sell them his unhappy slaves? Why do they continue to embitter the minds of the savages against you? Is this in a

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that the only security you could obtain, would be the justice and moderation of a parliament who have sold the rights of their own constituents. And this slender security is still farther weakened by the consideration that it was pledged to rebels (as they unjustly call the good people of these states) with whom they think they are not bound to keep faith by any law whatsoever. Thus would you be cast bound among men whose minds, by your virtuous resistance, have been sharpened to the keenest edge of revenge. Thus would your children, and your children's children, be by you forced to a participation of all their debts, their wars, their luxuries, and their crimes. And this mad, this impious system, they would lead you to adopt, because of the derangement of your finances.

It becomes you deeply to reflect on this subject. Is there a country upon earth which hath such resources for the payment of her debts as America? such an extensive territory? so fertile, so blessed in its climate and productions? Surely there is none. Neither is there any to which the wise Europeans will sooner confide their property. What, then, are the reasons that your money hath depreciated? Because no taxes have been imposed to carry on the war: because your commerce hath been interrupted by your enemy's fleets: because their armies have ravaged and desolated a part of your country: because their agents have villainously counterfeited your bills: because extortioners among you, inflamed with the lust of gain, have added to the price of every article of life; and because weak men have been artfully led to believe that it is of no value. How is this dangerous disease to be remedied? Let those among you who have leisure and opportunity, collect the moneys which individuals in their neighborhood are desirous of placing in the public funds. Let the several legislatures sink their respective emissions, that so, there being but one kind of bills, there may be less danger of counterfeits. Refrain a little while from purchasing those things which are not absolutely necessary, that so those who have engrossed commodities may suffer (as they deservedly will) the loss of their ill-gotten hoards, by reason of the commerce with foreign nations, which the fleets will protect. Above all, bring forward your armies into the field. Trust not to appearances of peace or safety. Be assured that, unless you persevere, you will be exposed to every species of barbarity. But, if you exert the means of defence which God and nature have given you, the time will soon arrive when every man shall sit under his own vine and under his own fig-tree, and there shall be none to make him afraid.

The sweets of a free commerce with every part of the earth will soon reimburse you for all the losses you have sustained. The full tide of wealth will flow in upon your shores, free from the arbitrary impositions of those, whose interest and whose declared policy it was to check your growth. Your interests will be fostered and nourished by governments, that derive their power from your grant, and will therefore be obliged, by the influence of cogent necessity, to exert it in your favor.

It is to obtain these things that we call for your strenuous, unremitted exertions. Yet do not believe that you have been, or can be saved merely by your own strength. No! it is by the assistance of Heaven, and this you must assiduously cultivate, by acts which Heaven approves. Thus shall the power and the happiness of these sovereign, free and independent states, founded on the virtue of their citizens, increase, extend and endure, until the Almighty shall blot out all the empires of the earth.

*Resolved*, That it be recommended to ministers of the gospel of all denominations to read or cause to be read, immediately after divine service, the above address to the inhabitants of the United States of America, in their respective churches and chapels, and other places of religious worship.

A petition from Jacob Gerhard Derks was read.

*Ordered*, That it be referred to general Washington.

A letter, of the 7th, from Mr. Simeon Deane, with sundry papers enclosed was read :

*Ordered*, That it be referred to the board of treasury.

THREE O'CLOCK, P. M.

The committee appointed to examine into the conduct of captain Mr. Folger, touching a certain packet from the commissioners of these United States at Paris, which had been robbed, report,

That they have made as full an examination into that business as the evidence they were able to obtain would permit, and, on the whole, have no proof of any guilt in Mr. Folger : Whereupon,

*Resolved*, That Mr. Folger be permitted to go home, and that his expenses be paid him, as well such as have been already incurred as such as may necessarily accrue on his journey home.

Congress resumed the consideration of the report of the committee on the whole, on a provision for officers after the close of the war ; Whereupon a motion was made to add,

" Provided, that the foregoing resolution shall not extend to any ~~less~~ officers, who now are or hereafter may be in the service of the United States."

On which the previous question was moved, whether that question be now put ? and the yeas and nays being required,

<i>Massachusetts-Bay</i> , Mr. Gerry,	no	} no	<i>Maryland</i> ,	Mr. Chase,	ay
	Lovell,			Carroll,	ay
	Dana,			Henry,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay		Plater,	ay
<i>Connecticut</i> , Mr. Sherman,	no		<i>Virginia</i>	Mr. B. H. Lee,	ay
	Wolcott,	} no		F. L. Lee,	ay
<i>New-Jersey</i> , Mr. Scudder,	no			T. Adams,	ay
<i>Pennsylvania</i> , Mr. James Smith,	ay	} ay	<i>S. Carolina</i> ,	Mr. Laurens,	ay
	J. B. Smith,			Matthews,	ay
	Clingan,		<i>Georgia</i> ,	Hutson,	ay
				Mr. Langworthy,	ay

So it passed in the negative.

A motion was then made to add,

" Provided, that the provision of half-pay shall not extend to any ~~officer~~ who shall take or hold any commission from any foreign prince, ~~power~~ potentate, and be liable to be called into the service of the prince, ~~power~~ potentate of whom he is a subject :"

A previous question was moved, whether that question be now put ? the yeas and nays being required,

<i>Massachusetts-Bay</i> , Mr. Gerry,	
	Lovell,
	Dana,
<i>Rhode-Island</i> , Mr. Ellery,	
<i>Connecticut</i> , Mr. Sherman,	
	Wolcott,
<i>New-Jersey</i> , Mr. Scudder,	
<i>Pennsylvania</i> , Mr. James Smith,	
	J. B. Smith,
	Clingan,

So it passed in the negative.

A letter, of the 8th, from

*Ordered*, To lie on the table.

Adjourned to ten o'clock.

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SATURDAY, *May* 9, 1778.

A letter, of the 8th, from the board of war, was read:

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 200 dollars be paid to Charles Cist and James Claypoole, towards defraying their expenses on their employment by the treasurer in superintending the making of paper for loan-office certificates and bills of exchange; they to be accountable.

*Ordered*, That 20,000 dollars be advanced to the marine committee, for the use of the navy board in the middle district; the said committee to be accountable.

*Ordered*, That 24,000 dollars be advanced to the committee of commerce, to be by them paid to Mons. de Francey, for the use of the house of Messrs. Roderique Hortales & Co. and to be charged to them by the said committee of commerce, who are to be accountable.

*Resolved*, That a member be elected for the navy board in the middle district, in the room of John Nixon, esq. resigned; the ballots being taken, Willam Smith, esq. of Baltimore, was elected.

The marine committee, to whom was referred the letter from baron Steuben, recommending capt. Landais, report, that they have had a conference with capt. Landais; that he produced brevet commissions of his being a lieutenant and captain in the navy of France, also a continental commission dated March 1st, 1777, appointing him captain of the ship *Heureaux*, or *Flammand*, which commission is accompanied with a letter from Silas Deane, esq. in the following words: "I give you a commission to use in case of necessity or the advantage of making a prize; but you are not to go out of your course for that purpose; you will keep an account of your expenses, which will be paid you on your arrival in America. I shall write to the Congress by other conveyances, and assure them that you have received nothing but your expense, and your generous confidence in them will not pass unnoticed." That Mr. Deane, in letters to the marine committee, recommends Mr. Landais in the strongest terms; that it appears to the committee that capt. Landais hath performed the business he was employed in with zeal and activity; that by his spirited behaviour a mutiny was quelled on board the ship *Flammand*, and she and her lading brought safely into port;" Whereupon,

*Resolved*, That a sum of money be paid to capt. Landais, and that the marine committee be directed to report a pecuniary consideration, adequate to his services.

*Resolved*, That capt. Landais be continued as a captain in the navy of the United States.

Whereas there are more captains in the navy than there are ships provided for them:

*Ordered*, That the committee for foreign affairs write to the commissioners of the United States at foreign courts, and inform them, that Congress expect they will not recommend any foreign sea-officers, nor give any of them the least expectation of being employed as captains in the navy of the United States.

Congress resumed the consideration of the report of the committee of the whole, on a provision to be made for officers after the war, and some time being spent thereon,

*Ordered*, That the farther consideration thereof be postponed to Monday next.

*Ordered*, That Saturday next be assigned for taking into consideration the articles of confederation and that on or before Wednesday next, the



delegates of the several states lay on the table for the perusal of the members, any objections made or amendments proposed to the confederacy by their states.

#### A PROCLAMATION.

Whereas Congress have received information and complaints, "that violences have been done by American armed vessels to neutral nations, in seizing ships belonging to their subjects and under their colours, and in making captures of those of the enemy whilst under the protection of neutral coasts, contrary to the usage and custom of nations:" to the end, that such unjustifiable and piratical acts, which reflect dishonour upon the national character of these states, may be in future effectually prevented, the said Congress hath thought proper to direct, enjoin and command, and they do hereby direct, enjoin and command, all captains, commanders and other officers and seamen belonging to any American armed vessels, to govern themselves strictly in all things agreeably to the tenor of their commissions, and the instructions and resolutions of Congress; particularly that they pay a sacred regard to the rights of neutral powers and the usage and custom of civilized nations, and on no pretence whatever presume to take or seize any ships or vessels belonging to the subjects of princes or powers in alliance with these United States, except they are employed in carrying contraband goods or soldiers to our enemies, and in such case that they conform to the stipulations contained in the treaties subsisting between such princes or powers and these states; and that they do not capture, seize or plunder any ships or vessels of our enemies, being under the protection of neutral coasts, nations or princes, under the penalty of being condignly punished therefor, and also of being bound to make satisfaction for all matters of damage and the interest thereof by reparation, under the pains and obligation of their persons and goods. And further, the said Congress doth hereby resolve and declare, that persons wilfully offending in any of the foregoing instances, if taken by any foreign powers in consequence thereof, will not be considered as having a right to claim protection from these states, but shall suffer such punishment as by the usage and custom of nations may be inflicted upon such offenders.

Given in Congress at York, in the state of Pennsylvania, this ninth day of May, anno domini 1778.

Adjourned to ten o'clock on Monday.

#### MONDAY, *May 11*, 1778.

A letter, of the 1st, from gov. Henry, of Virginia, and one of April 30th. from B. Harrison, deputy pay-master general, with his monthly account, were read:

*Ordered*, That they be referred to the board of treasury.

A letter, of the 1st, from W. Aylett, esq. deputy commissary-general of purchases in Virginia, was read, respecting the pork bought of Hewes & Co. and damages recovered of them on account of its bad quality.

Whereas, it hath been represented to us that a certain snow, called "Our Lady of Mount Carmel and St. Anthony," said to be the property of Messrs. John Ignatius de Oliveria Perceira and Anthony dios dos Santos, subjects of his most faithful majesty the king of Portugal, and bound from the Brazils to Fayal, was taken on the high seas by a private armed vessel, commissioned by these United States, and sent as a prize into the state of Massachusetts-Bay; that the same vessel, being duly libelled in the courts of the said state, was acquitted; and that no owner hath appeared to claim the said snow and her cargo, the master of the said snow having, as is said, been sent home in another vessel, at his own request, by the master of the said

armed vessel ; and whereas it hath been further represented unto us, that divers of the commodities in the said snow contained are perishable ; that damage may arise from permitting the vessel and cargo to continue in their present situation, and that it would be dangerous to send the said snow to the place of her former destination, as she might be made prize of by ships in the service of the king of Great-Britain.

Now, therefore, to the end that right may in this behalf be done,

*Resolved*, That the board of war of the said state of Massachusetts-Bay be requested to make sale, with all convenient speed, in the best manner, and for the most money possible, of the said snow and her cargo, to deposit the net proceeds thereof, after deducting all costs and charges, which shall then be due thereon, in the public funds of these United States ; and to transmit an exact account thereof to the committee of foreign affairs :

That the said committee do transmit such account, and a copy of the proceedings of the court of admiralty relative to the said snow, together with these resolutions, to the commissioner or commissioners of these states, who may then be and reside at the court of his most Christian majesty ; and

That the said commissioner or commissioners do inform the ambassador or resident of his most faithful majesty at the said court, of the premises, in order that the lawful and rightful owners of the said snow and her cargo, may obtain proper certificates, and authentic proof of their property in the same, and thereby be enabled, either personally or by their lawful attorney, to appear, demand, and receive the moneys so deposited as aforesaid, together with the interest thereof.

It is nevertheless provided, that nothing in the foregoing resolutions contained, shall be construed to bar the lawful and rightful owners of the said snow, and of her cargo, from their action or actions against the master or owners of the said private armed vessel, or any of them, for damages sustained beyond the money so to be deposited by reason of the capture aforesaid ; any clause or article thereof to the contrary notwithstanding :

On the question put, to agree to the foregoing resolution, the yeas and nays being required,

<i>Massachusetts-Bay,</i>	Mr. Lovell,	ay	}	*	<i>Delaware,</i>	Mr. M'Kean,	ay	}	ay
	Dana,	no				<i>Maryland,</i>	Mr. Carroll,		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no		Plater,	ay	}	ay
<i>Connecticut,</i>	Mr. Sherman,	no				<i>Virginia,</i>	Mr. R. H. Lee,		
	Huntington,	no	}	no		F. L. Lee,	ay	}	ay
	Wolcott,	no				<i>S.-Carolina,</i>	T. Adams,		
<i>New-York,</i>	Mr. G. Morris,	ay	}	*		Mr. Laurens,	no	}	no
<i>New-Jersey,</i>	Mr. Scudder,	no				<i>Georgia,</i>	Matthews,		
<i>Pennsylvania,</i>	Mr. J. B. Smith,	ay	}	ay		Hutson,	ay	}	ay
	J. Smith,	ay					Mr. Langworthy,		
	Clingan,	no	}	no				}	

So it was resolved in the affirmative.

*Ordered*, That the committee to whom was referred the memorial of the 6th of March last, from R. Morris, esq. be discharged from proceeding on that business.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 15,000 dollars be paid to Joseph Nourse, esq. pay-master to the board of war and ordnance, to be by him transmitted to count Pulaski, for the purpose of purchasing horses and recruiting his corps ; the said count Pulaski to be accountable.

A letter, of this day, from Joseph Nourse, pay-master to the board of war and ordnance, was read, informing that the board of war have directed him to apply for 25,000 dollars for George Ewing, commissary of hides, to enable him to furnish his deputies with money for their respective districts, to pay his workmen, and discharge debts contracted by him on public account ; Whereupon,

*Resolved*, That the sum of 25,000 dollars applied for by the command of hides, be paid to the board of war, and that they employ a discreet proper person to apply the said money to the department of hides, and enquiry shall be made into the conduct of the said commissary.

Congress proceeded to the election of a commissary of prisoners; a room of Elias Boudinot, esq. resigned, and the ballots being taken, Mr. Francis Johnson was elected.

Adjourned to ten o'clock to-morrow.

#### TUESDAY, May 12, 1778.

A letter, of the 10th, from Mr. Udney Hay, with sundry papers, was read :

*Ordered*, That it be referred to a committee of three : the members Mr. G. Morris, Mr. Dana, and Mr. Carroll.

A letter, of the 10th, from col. George Morgan, was read : Whereupon

*Ordered*, That so much of the said letter as relates to his accounts, together with his accounts accompanying the said letter, be referred to the board of treasury :

That so much of the said letter as relates to Indian affairs, be referred to the committee on Indian Affairs :

That the board of war be directed to make enquiry into the cause of the loss of the boats on the Ohio, mentioned in the said letter, and report to Congress.

Congress resumed the consideration of the report of the committee on the whole, on an allowance to officers after the war, and some time spent thereon,

*Ordered*, That the farther consideration thereof be postponed to-morrow.

Adjourned to ten o'clock, to-morrow.

#### WEDNESDAY, May 13, 1778.

A letter, of April 26th, from col. Alexander M'Clenaghan, of the Virginia regiment, was read, representing, that the state of his health rendered him unfit to serve his country in such manner as he could wish, and as there is no appearance of his being able to take the field this campaign, requesting leave to resign :

*Resolved*, That his resignation be accepted.

A letter, of the 11th, from Matthew Clarkson, esq. was read :

*Ordered*, That it be referred to the board of treasury.

A letter, of April 20th, from brigadier Stark ; one, of May 1st, from Normond Laneuville ; and a petition from major Debois, were read :

*Ordered*, That they be referred to the board of war

A remonstrance presented by one

*Resolved*, That the board of war be directed to consider the same, and hereby direct the committee to report what they shall think proper.

A letter, of the 11th, from gen. sir

*Ordered*, That a committee be chosen, Mr.

A letter, of the 11th, from the board of treasury, relating to the

*Ordered*,

A petition from John Sackville Higgins, at Boston, was read, praying for leave to return to England on parole, or to go to New-York to solicit an exchange:

*Ordered*, That it be referred to gen. Washington.

A memorial from Mons. Laneuville, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to a committee of three: the members chosen, Mr. Lovell, Mr. Carroll, and Mr. Duer.

A letter, of this day, from gen. Lee, was read:

*Ordered*, That the consideration thereof be postponed till to-morrow.

The marine committee, to whom was referred the memorial from Messrs. Francis Hopkinson and J. Wharton, brought in a report: Whereupon,

*Ordered*, That 600 dollars be allowed to each of the memorialists, for their extra services in Bordentown, and to defray their expenses to Baltimore.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. commissioner of the continental loan-office in the state of Massachusetts-Bay, in favor of the committee of commerce, for 11,666 60-90 dollars, to enable them to pay Archibald Mercer and Philip Moore, the valuation of the ship Two Friends, and the ship Moore, chartered and insured by the said committee, and taken by the enemy, as appears to them by protests regularly made; the said committee to be accountable:

That 10,174 88-90 dollars be advanced to the committee of commerce, to discharge Samuel and Robert Purviance's bill of the 25th of April last, on the said committee, in favor of Elbridge Gerry, esq. for that sum, it being the amount of their accounts against the ship Chase and snow George; the said committee to be accountable:

That 20,000 dollars be advanced to William Buchanan, esq. late commissary-general of purchases, to be by him paid to col. George Morgan, for the use of the commissary-general's department in the western district; the said William Buchanan, esq. to be accountable:

That 30,000 dollars be advanced to col. George Morgan, to be by him transmitted to John Baynton, esq. pay-master of the western district at Fort-Pitt, who is to be accountable:

That 60,000 dollars be advanced to William Buchanan, esq. late commissary-general of purchases, for the use of the middle district of the commissary-general's department; the said William Buchanan to be accountable:

That 10,000 dollars be advanced to Joseph Nourse, pay-master to the board of war and ordnance, to be by him transmitted to lieut. col. Temple, upon the application of col. Theophilus Bland, of the first regiment of light dragoons, to purchase clothing for the same; the said col. Bland to be accountable:

That a warrant issue on Thomas Smith, esq. commissioner of the continental loan-office in the state of Pennsylvania, in favor of William Buchanan, esq. late commissary-general of purchases, for 25,696 60-90 dollars, to discharge a demand of Blair M'Clenaghan, for a quantity of rum purchased of him agreeable to an order of Congress of the 12th day of September last; and that the commissioner of the loan-office be directed to date the certificates the 25th day of December last, it being the time that Mr. M'Clenaghan applied for the certificates, agreeable to his contract; the said William Buchanan to be accountable:

That 200 dollars be advanced to capt. M'Ree, to discharge a draught of John Ashe, provincial treasurer of the state of North-Carolina, dated May 10th, 1777, in favor of Francis Child, and expressed to be for the service of the United States; the said state to be accountable.

*Ordered*, That col. Bland make a particular return of the clothing by

him purchased and distributed to his men, with the names of the nearest ing the same, to the clothier-general, in order that a proper charge might be made thereof in his books.

The commissioners of claims at the board of treasury, with the sanction of the auditor-general, report,

That there is due to Mr. Simeon Deane, a balance of 685 89 <sup>1</sup>/<sub>2</sub> dollars, on account of his expenses in bringing despatches from the commissioners at Paris :

To the Rev. Mr. Lotbinier, chaplain to col. James Livingston's regiment, for pay and rations from March 11th to May 10th, inclusive, 101 dollars.

*Ordered*, That the said accounts be paid.

*Ordered*, That 3000 dollars be paid to Mr. Simeon Deane, in consideration of his faithful execution of a most important trust reposed in him by the commissioners of these states at Paris.

Congress resumed the consideration of the report of the committee of the whole, on an allowance to officers after the war ; Whereupon, it was moved

That the report of the committee of the whole, as amended by Congress, be referred to the consideration of the legislatures of the several states, for their opinion and directions thereon :

And the yeas and nays being required,

<i>Massachusetts</i> , Mr. Gerry,	no	} ay	<i>Delaware</i> ,	Mr. McKean,	ay
Lovell,	ay		<i>Maryland</i> ,	Mr. Carroll,	ay
Dana,	ay			Plater,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay		Henry,	ay
<i>Connecticut</i> , Mr. Sherman,	ay		<i>Virginia</i> ,	Mr. R. H. Lee,	ay
Huntington,	ay			F. L. Lee,	ay
Wolcott,	ay	} no	<i>S. Carolina</i> ,	Mr. Laurens,	ay
<i>New-York</i> , Mr. Duer,	no			Matthews,	ay
G. Morris,	no			Hutson,	ay
<i>New-Jersey</i> , Mr. Scudder,	ay	} no	<i>Georgia</i> ,	Mr. Langworthy,	ay
<i>Pennsylvania</i> , Mr. R. Morris,	no				
James Smith,	no				
Clingun,	ay				

So it passed in the negative.

Adjourned to nine o'clock to-morrow.

#### THURSDAY, May 14, 1778.

A letter, of the 12th, from gen. Washington, with sundry papers enclosed, was read :

*Ordered*, That so much of the said letter as relates to the destruction of the frigates in the Delaware, be referred to the marine committee, and the remainder to the board of war.

A letter, of the 9th, from lieutenant-colonel Ethan Allen, was read. Whereupon,

*Resolved*, That a brevet commission of colonel be granted to Ethan Allen, in reward of his fortitude, firmness and zeal in the cause of his country, manifested during the course of his long and cruel captivity, as well as on former occasions.

A letter, of  
upon,

*Resolved*, That  
northern depots

The ballots

A letter, of  
Pennsylvania;  
President Low  
brigadier Mon.

*Ordered*, That the letters from Mr. President Lowndes and brigadier Moultrie, be referred to a committee of three; the members chosen, Mr. Henry, Mr. T. Adams and Mr. Matthews.

An application from baron Bose was read :

*Ordered*, That it be referred to the board of war.

A letter, of this day, from the board of war, was read, together with a letter of the 10th, from John Penn and Benjamin Chew, esqrs. enclosed therein;

*Ordered*, That the same be referred to a committee of three: the members chosen, Mr. M'Kean, Mr. Carroll, and Mr. James Smith.

*Ordered*, That the committee for Indian affairs, to whom the letter of the 2d from the council of Pennsylvania was referred, be discharged from proceeding on that business, and that the said letter be referred to the board of war.

A letter, of April 16th, from William Gibbs, William Parker, and Edward Blake, commissioners of the continental loan-office in the state of South-Carolina, to the continental treasurer, was laid before Congress, and read.

*Ordered*, That it be referred to the committee of commerce, who are to report thereon.

*Ordered*, That the memorial from sundry inhabitants of Nova-Scotia, which was read the 6th, be referred to a committee of three: the members chosen, Mr. R. H. Lee, Mr. F. L. Lee and Mr. G. Morris.

A representation of the bishops and elders of the United Brethren settled in Pennsylvania, was read :

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Ellery, Mr. M'Kean, and Mr. Carroll.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 11,000 dollars be advanced to Edward Langworthy, esq. a delegate from the state of Georgia, on his application, for the use of that state, which is to be accountable.

The state of South-Carolina having transmitted their accounts against the United States,

*Ordered*, That the same be referred to the board of treasury.

The committee to whom were referred the letters and certificates respecting Mons. de la Neuville, report, " that they have duly examined the same, and find that Mons. de la Neuville, the elder, is recommended by baron de Wormser, lieutenant-general in the French service, as an officer of great zeal, activity and knowledge in the French service, and as one who may be usefully employed in all military operations; that he is recommended to gen. Washington by the marquis de Bouilli, governor of Martinico, as an intelligent officer, not only acquainted with the theory, but practice of war, having served several campaigns in Germany; that he is also recommended to general Washington by Mons. Merlet, quarter-master general of the French army, and pointed out in that recommendation as a proficient in the science of tactics, and consequently very capable of forming and disciplining bodies of infantry; that these recommendations are further strengthened by the favorable testimonies of the marquis de la Fayette and major-general Conway;" Whereupon,

*Resolved*, That it is the interest of the United States to employ Mons. de la Neuville as inspector of the army under the command of major-general Gates :

On putting this question, the yeas and nays being required,

<i>Massachusetts-Bay</i> , Mr. Gerry,	ay	}	}	<i>Connecticut</i> , Mr. Sherman,	no
Lovell,	no			Huntington,	no
Dana,	no			Wolcott,	no
<i>Rhode-Island</i> , Mr. Ellery,	no				



<i>New-York,</i>	Mr. Doer,	ay	} ay	<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	G. Morris,	ay			Plater,	ay	
<i>New-Jersey,</i>	Mr. Scudder,	ay	} ay		Henry,	no	
<i>Pennsylvania,</i>	Mr. R. Morris,	no		<i>Virginia,</i>	Mr. R. H. Lee,	ay	} ay
	James Smith,	no	} no		F. L. Lee,	ay	
	J. B. Smith,	ay			T. Adams,	ay	
	Clingan,	no	} ay	<i>S.-Carolina,</i>	Mr. Laurens,	ay	} ay
<i>Delaware,</i>	Mr. M'Kean,	ay			Matthews,	ay	
					Hutson,	ay	
				<i>Georgia,</i>	Mr. Langworthy,	no	no

So it was resolved in the affirmative.

*Resolved*, That Mr. de la Neuville's pay as inspector be 105 dollars per month, and six rations a day; his pay and rations to commence from the time of his entering into the service of the United States.

*Resolved*, That Mr. de la Neuville be informed, that Congress will be disposed, after an experience of his services of an inspector to the army under general Gates, for the space of three months, to confer on him such rank as his merits may justly entitle him to.

Adjourned to nine o'clock to-morrow.

#### FRIDAY, May 15, 1778.

A letter, of the 5th, from governor Trumbull; one, of April the 30th, from Jonathan Trumbull, jun. esq. pay-master in the northern department; and one, of the 29th of the same month, from Joseph Trumbull, esq. late commissary-general, were read:

*Ordered*, That the two last be referred to the board of treasury.

A letter, of the 9th, from W. Denning, esq. was read.

A paragraph of a letter of April the 27th, from governor Livingston, was laid before Congress, and read:

*Ordered*, That it be referred to the board of treasury.

Congress having received information, that divers infractions have been made by officers in the service of the king of Great-Britain, upon the convention of Saratoga, particularly by compelling some of the prisoners to bear arms against these United States, since their return to Canada;

*Resolved*, That his excellency governor Clinton, of New York, be requested to take such measures as he shall deem most prudent and effectual for ascertaining the truth of this information, and to transmit to Congress the evidence which he may obtain.

*Resolved*, That the sum of 2000 dollars in specie, and 10,000 dollars in continental money, be advanced to governor Clinton, for defraying the necessary expenses of executing the foregoing resolution; that the board of treasury be authorized to pay the said sums.

Congress resumed the consideration of the report of the committee of the whole, on an allowance to be made to officers after the war, and on revision, an amendment being admitted by general consent, a question was put to agree to the whole as amended; Whereupon,

*Resolved, unanimously*, That all military officers commissioned by Congress, who now are, or hereafter may be, in the service of the United States, and shall continue therein during the war, and not hold any office of profit under these states, or any of them, shall, after the conclusion of the war, be entitled to receive annually, for the term of seven years, if they live so long, one half of the present pay of such officers; provided, that no general officer of the cavalry, artillery or infantry shall be entitled to receive more than the one half part of the pay of a colonel of such corps respectively; and provided, that this resolution shall not extend to any officer in the service of the United States, unless he shall have taken an oath of allegiance to, and shall actually reside within some one of the United States.

**Resolved, unanimously,** That every non-commissioned military officer and soldier, who hath enlisted, or shall enlist, into the service of these states, for and during the war, and shall continue therein to the end thereof, shall be entitled to receive the further reward of 80 dollars at the expiration of the war.

The yeas and nays being required,

<i>Massachusetts</i> , Mr. Gerry,	ay	} ay	<i>Delaware</i>	Mr. M'Kean	ay	} ay
	Lovell,		<i>Maryland</i> ,	Mr. Carroll,	ay	
	Dana,			Henry,	ay	
<i>Rhode-Island</i> ,	Mr. Ellery	ay	} ay	Plater,	ay	} ay
<i>Connecticut</i> ,	Mr. Sherman,	ay		Mr. R. H. Lee,	ay	
	Huntington,	ay		F. L. Lee,	ay	
	Wolcott,	no	} ay	T. Adams,	ay	} ay
<i>New-York</i> ,	Mr. Duer,	ay		Mr. Laurens,	ay	
	G. Morris,	ay		Matthews,	ay	
<i>New-Jersey</i> ,	Mr. Scudder,	ay	} ay	Hutson,	ay	} ay
<i>Pennsylvania</i> ,	Mr. R. Morris,	ay		Mr. Langworthy,	ay	
	J. B. Smith,	ay				
	James Smith,	ay	<i>Georgia</i> ,			
	Clingan,	ay				

So it was resolved in the affirmative.

A letter of this day, from general Mifflin, was read :

**Ordered,** That it be referred to a committee of three ; the members chosen, Mr. G. Morris, Mr. Carroll, and Mr. Dana.

The committee to whom was referred the letter from John Penn and Benjamin Chew, esqrs. dated May the 10th, and directed to the board of war, brought in a report ; Whereupon,

**Resolved,** That John Penn and Benjamin Chew, esqrs. be conveyed, without delay, into the state of Pennsylvania, and there discharged from their parole, and that their excellencies the president of Pennsylvania and the gov. of New-Jersey be severally furnished immediately with a copy of this act.

Adjourned to nine o'clock to-morrow.

#### SATURDAY, May 16, 1778.

A letter, of this day, from I. Melchior, was read :

**Ordered,** That it be referred to the board of war, and that the board enquire into the state of the barrack-master's department, the number of deputies employed, and the places where, and report thereon.

A report, from gov. Livingston was laid before Congress and read, wherein he informs, " that in pursuance of the resolution of Congress of the 19th of February he has removed Gifford Dally, deputy quarter-master at Morristown, in that state, for misbehaviour and neglect of duty, and appointed in his place Benjamin Lindsey, esq. during the will and pleasure of Congress, or such his superior officer as is or may be authorized to remove him ; that he has reduced the number of assistants employed by Joseph Dewees, deputy commissary in the same place, from four to three ; "

**Ordered,** That the said report be referred to a committee of three ; the members chosen, Mr. G. Morris, Mr. Dana, and Mr. Ellery.

The committee on the treasury brought in a report : Whereupon,

**Ordered,** That 100,000 dollars to be paid to Dr. Thomas Bond, jun. to be by him delivered to Dr. Jonathan Potts, deputy director general, for the use of the hospitals of the middle district ; the said Dr. J. Potts to be accountable ;

That 20,000 dollars be advanced to the committee of commerce, to enable them to discharge four bills drawn on them by Abraham Livingston, esq. continental agent at Charleston, dated the 18th, 19th, 20th and 21st of March, for that sum.

**Resolved,** That the invoice of articles to be imported from France, together with the list of medicines, approved by Congress, be signed by the

committee of commerce, and transmitted to the commissioners of the United States at Paris, who are authorized and directed to apply to the house of Roderique Hortales & Co. for such of the said articles as they shall not have previously purchased or contracted for.

*Ordered*, That copies of the invoices be delivered to Mons. de Francey, agent for Roderique Hortales & Co. together with a copy of the foregoing resolution.

*Resolved*, That the articles to be shipped by the house of Roderique Hortales & Co. be not insured, but that notice be given to the commissioners at France, that they may endeavour to obtain convoy for the protection thereof.

*Resolved*, That a copy of gov. Livingston's letter of April 27th, respecting the horses purchased for the use of the continental army, at the request of the committee of Congress in camp, be transmitted to the quarter-master general; and that he be ordered immediately to pay for such horses and settle the accounts with the persons employed to make the purchases, agreeably to the terms upon which the governor engaged.

*Resolved*, That the committee for foreign affairs report such alterations in, or additions to, the instructions and commissions given to the commissioners at the courts of Berlin, Vienna, and Tuscany, as they may think expedient.

*Resolved*, That col. Ethan Allen be entitled to all the benefits and privileges of a lieutenant-colonel in the service of the United States during the time of his captivity.

A number of intercepted letters were laid before Congress:

*Ordered*, That they be referred to a committee of three, and that the said committee be empowered to take such steps, and pursue such measures as they judge necessary for the interest of the United States: the members chosen, Mr. R. H. Lee, Mr. Lovell, and Mr. Witherspoon.

Adjourned to nine o'clock on Monday.

#### MONDAY, May 18, 1778.

A petition from sundry inhabitants of the county of Bedford, in the state of Pennsylvania, was read:

*Ordered*, That it be referred to the board of war.

A letter and petition from David Laird, were read:

*Ordered*, That they be referred to the board of war.

A letter, of this day, from W. Turnbull, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 15th, from W. Bowley, was read:

*Ordered*, That it be referred to the committee of commerce.

A letter, of the 16th, from the board of war, was read:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Carroll, Mr. J. B. Smith, and Mr. G. Morris.

A letter, of April 26th, from gov. Caswell, of North-Carolina, was read, informing that the two houses of assembly of that state have unanimously acceded to the confederation.

A petition from Jacob Gerhard Derick was read, praying to be honored with a colonel's commission.

*Ordered*, To lie on the table.

A letter, of the 11th, from Thomas Smith, of Bedford county, to James Smith, esq. delegate for Pennsylvania, was laid before Congress, and read:

*Ordered*, That it be referred to the board of war, and that they be authorized, in conjunction with gen. Washington, to take such measures for affording present relief to the western frontiers as can be adopted, consistent with the present state of the main army.

The committee lately sent to camp, laid before Congress a plan for regulating the army:

*Ordered*, That to-morrow be assigned for taking the same into consideration.

A letter, of March 26th, from the board of war, of the state of Massachusetts-Bay, with an extract of a letter of the 30th, from Mr. Gardoqui & Sons, at Bilboa, was read :

*Ordered*, That the same be referred to a committee of three : the members chosen, Mr. G. Morris, Mr. Carroll, and Mr. Gerry.

A petition from sundry German officers, in the service of the United States of America, was read ; Whereupon,

*Resolved*, That the Rev. Mr. Henry Miller be appointed chaplain to the Germans in the main army ; and that he be allowed the pay and privileges of a brigade chaplain, without being confined to any particular brigade.

Adjourned to nine o'clock to-morrow.

### TUESDAY, May 19, 1778.

A letter, of the 18th, from the executive council of Pennsylvania, enclosing a copy of a letter of the 14th, from Samuel Hunter, lieutenant, of the county of Northumberland, was read :

*Ordered*, That it be referred to the board of war.

The board of war, to whom was referred the petition from major de Bois, report as their opinion, that the resignation of major de Bois be accepted, agreeable to his petition, and that a sum of money, the quantum of which to be settled by the board of treasury, should be allowed him to defray his expenses back to France :

*Ordered*, That the said report, with the petition of major de Bois, be referred to the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 10,000 dollars be paid to Thomas M'Kean, esq. to be by him forwarded to his excellency Cæsar Rodney, president of the state of Delaware, for the recruiting service ; for which the state is to be charged.

*Resolved*, That Mr. Joseph Trumbull, late commissary-general, be informed of the disposition of Congress not to grant money to such persons as, having been officers of the United States, are now out of office, until they shall have accounted for the public money which shall have been previously advanced to them respectively.

The board of war, to whom the letter from gen. Washington, respecting lieutenant colonel Derick was referred, report,

That the board concur in opinion with gen. Washington, as to the expediency of complying with lieutenant-colonel Derick's request, to be appointed commandant of an independent corps, and therefore that his petition be dismissed :

*Resolved*, That Congress agree to the said report.

The board of war, to whom was referred the memorial from the general assembly of Pennsylvania, relative to forts built in Westmoreland, &c. report,

That they have been informed that brigadier Hand directed the lieutenants of the two western counties to take other posts, at which to station the militia, than those mentioned in the memorial of the assembly ; that the lieutenants only partially complied with the directions, and instead of fulfilling them, built the forts at Lagonier and Hanna's-town ; that, however, as the board are not sufficiently acquainted with the circumstances to judge whether the forts are so situated as to answer only a local, instead of a general purpose, or whether they are properly constructed, if the posts are well chosen, it is impossible to furnish Congress with a final report on the subject ; that, as brigadier Hand is re-called from the command, his successor will judge between him and the lieutenants of the counties, whom the board presume to have had the best intentions, but think it by no means proper to en-



Congress took into consideration a report of the board of treasury of the 12th: Whereupon,

3000 sets of 12 dollars each, at 5.	15,000	<i>Amount brought up,</i>	1,800,000
livres tournois per dollar,	180,000	1000 do.	60 do. do. 300,000
3000 do. 18 do. do.	270,000	1000 do.	120 do. do. 600,000
3000 do. 24 do. do.	360,000	800 do.	300 do. do. 1,200,000
3000 do. 30 do. do.	450,000	400 do.	600 do. do. 1,200,000
3000 do. 36 do. do.	540,000	200 do.	1200 do. do. 1,200,000

That the bills be drawn upon the commissioners of the United States in Paris, signed by such person or persons as shall hereafter be appointed by Congress, and countersigned and numbered by the commissioners of the continental loan-office issuing the said bills respectively :

“Exchange for                      Dollars, at five Livres Tournois per dollar.  
No.                      United States of North-America.                      day of                      17 .

At thirty days sight of this Bill, and not paid, pay to  
or order, Dollars in Livres Tournois, for

**To  
of the United States of North-America.**

Commissioner of the continental Loan-office in the state of ."

A letter, of the 18th, from the board of war, and one, of the 19th, from the board of treasury, were read :

**Congress took into consideration the report of the committee from camp, relative to a new regulation of the army; to which an amendment was moved as follows :**

**2. That each battalion consist of four companies or centuries, or grand divisions :**

4. That to each battalion there be one lieutenant-colonel, major, adjutant, serjeant-major, drum-major or horn-sounder major :

5. That the regimentary-officers be one colonel, one regimental colour-bearer, or ensign-major, with an orderly horseman to attend the colonel; the ensign-major to have the rank of lieutenant.

Thus every regiment to consist of 1 colonel, 2 lieutenant-colonels, 2 majors, 8 captains, 8 captain-lieutenants, 16 lieutenants, 1 ensign-major, 8 ensigns, making 46 commissioned officers, 64 or at least 48 serjeants, the same number of corporals, 2 serjeants-major, 2 drums-major, 16 drummers or horn-sounders, and 1024 privates."



On the question to agree to the said amendment, the yeas and nays required,

<i>Massachusetts-Bay</i> , Mr. Gerry,	ay	} no	<i>Delaware</i> ,	Mr. McKim,	ay
Lovell,	no		<i>Maryland</i> ,	Mr. Carroll,	ay
Dana,	no			Plater,	ay
<i>Rhode-Island</i> , Mr. Ellery,	no	} no		Henry,	ay
<i>Connecticut</i> , Mr. Sherman,	no		<i>Virginia</i> ,	Mr. R. H. Lee,	ay
Huntington,	no			F. L. Lee,	ay
Wolcott,	no	} ay	<i>S.-Carolina</i> ,	Mr. Laurens,	ay
<i>New-York</i> , Mr. Duer,	ay			Matthew,	ay
G. Morris,	no			Hudson,	ay
<i>New-Jersey</i> , Mr. Scudler,	no	} no	<i>Georgia</i> ,	Mr. Langdon,	ay
<i>Pennsylvania</i> , Mr. J. B. Smith,	no				
James Smith,	ay				
Clingan,	no				

So it passed in the negative.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, May 20, 1778.

A letter, of this day, from captain Herman Courter, who brought a duplicate of despatches from France, was read:

*Ordered* That the same together with his account be referred to

A letter of the 27th, and one of the 28th of April, from the council of Massachusetts-Bay, were read :

*Ordered*, That they be referred to a committee of four : the members chosen, Mr. Ellery, Mr. Dana, Mr. Huntington, and Mr. Witherspoon.

A letter, of 7th, from Messrs. Otis & Andrews, at Boston, and one, of the 20th, from Mr. J. Mease, were read :

*Ordered*, That so much of the same as relates to money, be referred to the board of treasury ; and so much as relates to putting a stop to any further purchases of clothing by agents or commissioners appointed by the several states, be referred to the board of war.

A letter, of April 22d, from John Lucas, was read :

*Ordered*, That it be referred to the board of war.

A letter, of the 19th, from the general assembly of Pennsylvania, with a petition from sundry inhabitants on the western frontiers, was read :

*Ordered*, That the same be referred to the board of war.

A letter, of April 25th, from the council of Massachusetts-Bay, with an account of the expenses of that state for prisoners, was read :

*Ordered*, That the same be referred to the board of treasury.

The committee to whom was referred the memorial from divers persons, late inhabitants of Nova-Scotia, reported.

The committee to whom was referred the letter from colonel F. Johnson, brought in a report ; Whereupon,

*Resolved*, That the necessary contingent charges of executing the office of commissary-general of prisoners be allowed, over and above the present pay.

Whereas colonel Johnson was taken from the line to execute the office of commissary-general of prisoners, upon an information given to Congress that his health would not permit him to continue in the army, and undergo the fatigues of it ; and as there is no necessary relation between his office and the line,

*Resolved*, That col. Johnson be permitted to hold his rank, but no command in the line, nor be entitled to receive the seven years' half pay lately granted to the military commissioned officers.

The committee to whom was referred the letter from brigadier Wayne, brought in a report ; Whereupon,

*Resolved*, That the Rev. Dr. Robert Blackwell be appointed chaplain to the first Pennsylvania brigade, commanded by brigadier Wayne.

A letter, of April 14th, from Thomas White, of the state of Delaware, and an extract of a letter, of May 8th, from Mr. President Rodney, of the said state, both directed to Mr. M'Kean, were laid before Congress and read :

*Ordered*, That the same be referred to the committee appointed to provide for the safety of, and prevent insurrections in, the peninsula between Delaware and Chesapeake-Bays.

Mr. Josiah Bartlett, one of the delegates from New-Hampshire, attended, and produced the credentials of his appointment, which are as follows :

“ STATE OF NEW-HAMPSHIRE,

“ *In the House of Representatives, March 14th, 1778.*

“ *Voted*, That the hon. Josiah Bartlett and John Wentworth, jun. esqrs. be, and hereby are, appointed to serve as delegates to represent this state in the Continental Congress, for and during the term of one year from the date hereof, unless sooner recalled : and that they and each of them, in the absence of the other, have full and ample power, in behalf of this state, to consent and agree to all measures which Congress shall deem necessary for the public good.

Sent up for concurrence.

JOHN DUDLEY, *Speaker pro temp.*

In Council, the same day, read and concurred.

E. THOMPSON, *Secretary.*

Copy attested,

MESHECK WEARE, *President.*

*Resolved*, That major-general Mifflin have leave to join the army under the command of gen. Washington.

The committee to whom was referred the letter of the 11th, signed Washington, enclosing a copy of a letter from gen. Howe, respecting exchange of prisoners, report,

That the propositions of gen. sir William Howe, for an exchange of prisoners, in his letter of May the 10th, appear so ambiguously expressed as so liable to misconception, that, in their opinion, it is expedient that Congress should, on their part, make proposals for an exchange on principles of equity, and expressed in clear and explicit terms: Whereupon,

*Resolved*, That gen. Washington be desired to inform gen. sir William Howe that Congress, ever anxious to alleviate the calamities of war, are willing to make an exchange of prisoners on the following principles, viz:

That an exchange be made of all officers in the possession of either party, whether on parole or otherwise, as far as rank and number will apply.

That, as gen. sir William Howe has the power of exchanging the made prisoners under the convention of Saratoga, Congress cannot but be agreeing to an equivalent in privates for officers, but are willing to add this exchange to the officers of gen. Burgoyne's army:

That an exchange, as far as numbers will apply, be made of all soldiers in the actual possession of either party; and also of all who, having been on parole, are, in the opinion of gen. Washington, proper objects of exchange.

That the officers and soldiers so to be exchanged be mutually delivered at such places in the states of Rhode-Island, New-York, and Pennsylvania, and at such periods of time as the said generals may determine.

That in case the proposed exchange should unhappily not take place, gen. Washington be directed to inform gen. sir William Howe, that Congress are desirous that he will, from a regard to the prisoners in the power of the British, take effectual measures that the American prisoners may not suffer any detriment from the approaching hot season, which it is in his power to prevent, as the present possession of Long-Island and Rhode-Island, afford him an opportunity of extending humanity towards prisoners, without a breach of the power under which he acts.

Adjourned to nine o'clock to-morrow.

FRIDAY, May 22, 1778.

relative to the proposals made by major-general Pigot, for supplying with provisions the troops who surrendered prisoners under the convention of Saratoga:

That the president be directed to inform major-general Heath, that Congress expect that all assistance afforded to the enemy, in unloading, storing or transporting provisions for the support of the convention prisoners, be paid for in solid coin, agreeably to the spirit of their resolution of the 19th of December last.

Congress took into consideration the report of the committee on the rules for the better conducting the business of Congress; and some progress being made therein,

*Ordered*, That the farther consideration thereof be postponed.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Lawrence, esq. commissioner of the loan-office in the state of Connecticut, in favor of James Stevenson, esq. one of the commissioners of accounts for the middle department, for 1081 dollars, it being the balance of his pay, from July 26th, 1776, to the 4th inst.

*Ordered*, That so much of the report as relates to Messrs. Otis and Andrews, be re-committed.

*Resolved*, That 5,000,000 of dollars be emitted under the direction of the board of treasury, and upon the faith of the United States;

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 11th of April last, and be numbered from the last number of each respective denomination progressively, and consist of the following denominations, viz.

41,667 bills of 40 dollars,	1,666,680	41,667 bills of 6 dollars,	250,002
41,667 do. of 30 do.	1,250,010	41,666 do. of 5 do.	208,330
41,666 do. of 20 do.	833,320	41,667 do. of 4 do.	166,668
41,666 do. of 8 do.	333,328		
41,666 do. of 7 do.	291,622		
			<hr/> 5,000,000

That all the powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers and printers of the emission of the 20th day of May, 1777, shall extend to the said 5,000,000 of dollars now to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

*Ordered*, That 240,000 dollars be advanced to William Buchanan, esq. late commissary-general of purchases, for the use of the middle district; for which he is to be accountable.

A letter, of the 2d, from gov. Caswell, of North-Carolina, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to the committee on the letter from captain Cottineau.

Adjourned to nine o'clock to-morrow.

#### SATURDAY, May 23, 1778.

A letter, of the 22d, from col. F. Johnson, was read, informing, that as it never was his wish to give up his rank in the line, he therefore begs leave to decline the acceptance of his late appointment of commissary-general of prisoners; Whereupon,

*Resolved*, That he have leave to decline the said appointment.

A letter, of the 7th, from John James Doerner, jun. at Edenton, in North-Carolina, was read:

*Ordered*, That it be referred to the board of treasury.

The board of war, to whom was referred the letter of the 17th, from John Connolly and others, prisoners, brought in a report, which was read; Whereupon,

Congress passed the following:

Whereas, it appears probable that attempts are making to misrepresent the conduct of these United States towards the prisoners in their possession, in some degree to wipe off or counterbalance the just reproach that has fallen upon our enemies for their barbarity :

*Ordered*, That the letters from John Connolly and others, dated York gaol, May 17th, 1778, together with the report of the board of war upon it, be published.

The committee on the treasury brought in a report: Whereupon,

*Ordered*, That 50,000 dollars be advanced to the marine committee, to be by them transmitted to the navy-board at Boston, for the use of the navy in the eastern district; the said marine committee to be accountable.

*Ordered*, That Mr. Scudder have leave of absence.

Adjourned to nine o'clock on Monday.

### MONDAY, May 25, 1778.

On a recommendation of col. F. Johnson,

*Resolved*, That the Rev. David Jones be, and he is hereby appointed chaplain to the brigade of Pennsylvania troops commanded by col. Johnson.

A letter, of the 6th, from gov. Caswell was read :

*Ordered*, That the same, together with a resolve of the general assembly of North-Carolina, empowering the governor of that state to draw for 500,000 dollars, and an act for raising men to complete the continental battalions of that state, which were enclosed in the governor's letter of the 2d, be referred to the committee lately sent to camp.

A letter, of March 20th, from gov. Houston, of Georgia, with sundry resolves of the assembly of that state enclosed, was read :

*Ordered*, That the same be referred to the foregoing committee.

A letter, of the 4th, from major-general Heath, enclosing an invoice of specie sent forward, was read :

*Ordered*, That the same be referred to the board of treasury.

A letter, of the 15th, from Mr. Aylett, deputy commissary-general of purchases, with sundry papers enclosed, was read :

*Ordered*, That they be referred to the committee of commerce.

A letter of the 15th, from gov. Henry, of Virginia, was read.

The committee on the treasury, to whom was recommitted the report respecting Messrs. Otis & Andrews, brought in another report: Whereupon,

*Ordered*, That 150,000 dollars be advanced to James Mease; and that a warrant for 500,000 dollars be drawn in his favor on the commissioner of the loan-office in the state of Massachusetts-Bay, both which sums are to be by him immediately transmitted to his agents, Messrs. Otis & Andrews, of Boston, for the use of the clothier-general's department, who is to be accountable:

That Mr. Nourse, pay-master of the board of war and ordnance, receive the money from the treasurer, and transmit it, with the warrant on the loan-office, to Mr. Mease, with a copy of this order.

A motion being made for putting a stop to the farther purchase of clothing.

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Witherspoon, Mr. Sherman, and Mr. F. L. Lee.

A letter, of this day, from lieut. col. Carrington, of col. Harrison's regiment of artillery, was read, enclosing a list of the officers of said regiment:

*Ordered*, That the same be referred to the board of war.

A motion being made for obtaining and filing at the board of war copies of military commissions,

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Banister, Mr. G. Morris, and Mr. Dana.

*Resolved*, That the auditor, together with Mr. Milligan, one of the commissioners of claims, be authorized and directed to examine and pass upon

the accounts of Dr. Isaac Forster, deputy director-general of the eastern department.

The committee on the treasury brought in a report; Whereupon,

*Resolved*, That gen. Heath be directed to pay, in continental currency, to brigadier Glover, the sum that shall appear to be due him on account, for purchasing provisions and other articles for the prisoners of the convention of Saratoga, whilst on their march from that place to Boston, and for guards attending the said prisoners.

*Resolved*, That the warrant drawn by the president of Congress the 2d of February last, on Joseph Clarke, esq. commissioner of the loan-office in the state of Rhode-Island and Providence Plantations, in favor of Ebenezer Hancock, esq. deputy pay-master general for the eastern district, and by him returned, be cancelled, and the entries thereof in the treasury book reversed.

*Resolved*, That a committee of three be appointed to report a plan for filling up the continental battalions by recruits, to be enlisted to serve during the war: the members chosen, Mr. Duer, Mr. Drayton, and Mr. G. Morris.

A letter, of this day, from E. Blaine, esq. deputy commissary-general, was read:

*Ordered*, That it be referred to the committee lately at camp.

A motion being made for paying the New-Jersey militia,

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. G. Morris, Mr. Witherspoon, and Mr. Drayton.

Adjourned to nine o'clock to-morrow.

#### TUESDAY, May 26, 1778.

*Resolved*, That the quarter-master general be directed to furnish baron Steuben with two good horses for his use.

A petition from Moses Black, was read, praying, in behalf of William Woolsey, and the owners of the private armed schooner Harlequin, that an action be commenced at the inferior court of common pleas in the county of Providence, in the state of Rhode-Island, &c. touching the capture of a certain prize sloop, may be referred to the court of appeals, for their decision thereon:

*Ordered*, That it be dismissed.

The board of war, to whom the application of baron Bose was referred, brought in a report: Whereupon,

*Resolved*, That the sum of 500 dollars be paid to baron Bose, as a compensation for his sufferings in the cause of the United States.

The committee to whom was referred the letters from Mr. President Lowndes, major-general Howe, and brigadier Moultrie, brought in a report:

*Ordered*, To lie on the table.

Mr. Elmer, a delegate from the state of New-Jersey, and Mr. Roberdeau, a delegate from Pennsylvania, attended and took their seats in Congress.

Congress resumed the consideration of the rules for the better conducting business, when the following were agreed to:

1. As soon as nine states are represented in the house, Congress may proceed to business.

2. In determining questions in Congress, each state shall have one vote.

3. No member shall read any printed paper in the house during the sitting thereof, without leave of Congress.

4. No member shall speak to another or otherwise interrupt the business of the house while the journals or public papers are reading for the information of Congress, or when any member is speaking in any debate.

5. Every member, when he speaks, shall rise from his seat and address himself to the chair, and when he has finished, shall sit down again.

6. No member shall speak more than twice in any one debate on the same day, without leave of the house.



7. When two members rise together, the president shall name the person to speak.

8. No motion shall be debated until the same be seconded.

9. When a motion shall be made and seconded, it shall be reduced to writing, if desired by the president or any member, delivered in at the table and read by the president, before the same shall be allowed to be debated.

10. While a question is before the house, no motion shall be received, unless for an amendment, for the previous question, to postpone the consideration of the main question, or to commit it.

11. If a question in debate contain several points, any member may have the same divided.

12. When a question is about to be put, it shall be in the power of any one of the states to postpone the determination thereof until the next day, after which, it shall not be again postponed, but by order of the house.

13. The previous question (that is, that the main question be now put) being moved, the question from the chair shall be, that those who are for the previous question say ay, and those against it, no; and if there be a majority of ays, then the main question shall not be then put, but otherwise it shall.

14. Each member present shall declare openly and without debate his assent or dissent to a question by ay or no, when required by motion of any one member, whose name shall be entered as having made such motion previous to the president's putting; the name and vote in such cases shall be entered on the journals, and the majority of votes of each state shall be the vote of that state.

15. No ballot shall be counted for the appointment of any person to an office of trust or profit who has not been nominated to the house on a day previous to the balloting being entered into, except by consent of all the states present.

16. Every morning the minutes of the preceding day shall be read, before Congress enter on new business.

17. Every morning, after the reading of the public letters and giving orders concerning them, the reports of the board of treasury and of the board of war, if any, shall be immediately taken into consideration.

18. No member shall leave Congress without permission of Congress or of his constituents.

A memorial from the field-officers now prisoners on parole on Long-Island, in behalf of themselves and at the particular joint request of their brethren in like situation, was read:

*Ordered*, That it be referred to a committee of three; the members chosen, Mr. R. H. Lee, Mr. S. Adams, and Mr. Duer.

A letter, of the 9th, and one of the 11th, from general Schuyler, were read, the latter containing Indian intelligence:

*Ordered*, That the letter of the 11th, with the papers enclosed, be referred to the board of war.

A petition from John Sherman was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 18th, from general Conway, was read:

*Ordered*, To lie on the table.

Congress resumed the consideration of the report of the committee on the arrangement of the army; and after some time spent,

*Resolved*, That the further consideration thereof be postponed till to-morrow.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, May 27, 1778.

A letter, of the 14th, from Peter Boyer, was read, informing, that the

situation of his family and private affairs obliges him to decline accepting the trust of auditor of accounts in the northern district, to which Congress has been pleased to appoint him.

A letter, of the 15th, from William Greene, esq. gov. of Rhode-Island, &c. was read, informing Congress of his being elected to that office.

A letter, of the 20th, from governor Livingston, and one, of the 24th, from general Washington, were read, the latter enclosing a memorial from the field officers of the North-Carolina battalions, respecting captain Vanie:

*Ordered*, That the letter from general Washington with the paper enclosed, be referred to a committee of three; the members chosen, Mr. Drayton, Mr. M'Kean, and Mr. Huntington.

*Resolved*, That Mr. Bartlett, for New-Hampshire, Mr. S. Adams, for Massachusetts-Bay, in room of Mr. Dana, Mr. G. Morris, for New-York, in room of Mr. Livingston, Mr. Drayton, for South-Carolina, in room of Mr. Laurens, be appointed members of the marine committee.

The committee on Indian affairs, to whom was referred an extract of a letter of April the 10th, from colonel Morgan, brought in a report, which was read:

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 700 dollars be advanced to Mr. J. Henry, delegate from Maryland, on his application; the said state to be accountable:

*Ordered*, That 200,000 dollars be paid to Mr. J. Nourse, pay-master to the board of war and ordnance, to be by him transmitted to William Palfrey, esq. pay-master general, for the use of his department; who is to be accountable:

*Ordered*, That 24,000 dollars be paid to Mr. J. Nourse, pay-master to the board of war and ordnance, on the application of the said board; it being the remainder of the sum to be advanced agreeably to a resolution of Congress of the 6th of April last, and to be by him transmitted to brigadier count Pulaski, to complete the raising and equipping his legion; the said brigadier count Pulaski to be accountable.

Congress resumed the consideration of the report of the committee on the arrangement of the army, which was agreed to as follows:

### *Establishment of the American Army.*

#### I. INFANTRY.

*Resolved*, That each battalion of infantry shall consist of nine companies, one of which shall be of light-infantry; the light-infantry to be kept complete by drafts from the battalion, and organized during the campaign into corps of light infantry:

That the battalion of infantry consist of

COMMISSIONED.	Pay per month.	COMMISSIONED.	Pay per month.
1 Colonel and captain,	75 dollars.	1 Captain-lieutenant,	26 2-3 dollars.
1 Lieutenant-colonel & captain,	60	8 Lieutenants, each	26 2-3
1 Major and captain,	50	9 Ensigns, each	20
6 Captains, each,	40		
Pay-master,	} to be taken from the line.	} In addition to their pay as officers in the line.	
Adjutant,			
Quarter-master,			
1 Surgeon,	60 dollars.	1 Drum-major,	9 dollars.
1 Surgeon's-mate,	40	1 Fife-major,	9
1 Serjeant-major,	10	18 Drums and fifes, each	7 1/2
1 Quarter-master serjeant,	10	27 Corporals, each	7 1/2
27 Serjeants, each	10	477 Privates, each	6 2-3

Each of the field officers to command a company.

The lieut. of the colonel's company, to have the rank of capt. lieutenant.

## II. ARTERIES.

**That a battalion of artillery consist of**

COMMISSIONED.		Pay per month.	COMMISSIONED.		Pay per month.
1 Colonel,	-	100 dollars.	12 Captain-lieutenants, each	34 1/2	
1 Lieutenant-colonel,	-	75	12 First lieutenants, each	32	
1 Major,	-	62 1/2	36 Second lieutenants, each	24	
12 Captains, each	-	50			
Pay-master,	}	to be taken from the line.	25 dollars.	}	In addition to their pay & due in the line.
Adjutant,			16		
Quarter-master,			16		
1 Surgeon,	-	75 dollars.	72 Serjeants, each	18 1/2	
1 Surgeon's-mate,	-	50	72 Bombardiers, each	5	
1 Serjeant-major,	-	11 23-90	72 Corporals, each	4	
1 Quarter-master serjeant,	-	11 23-90	72 Gunners, each	12 1/2	
1 Fife-major,	-	10 38-90	24 Drums and fifes, each	12 1/2	
1 Drum-major,	-	10 38-90	336 Matrosses, each	10	

### III. CAVALRY.

**That a battalion of cavalry consist of**

COMMISSIONED.		Pay per month.	CONTRIBUTOR.		Pay per month.
1 Colonel,	-	93½ dollars.	12 Lieutenants, each	-	30½
1 Lieutenant-colonel,	-	75	6 Cornets, each	-	25
1 Major,	-	60	1 Riding-master,	-	25
6 Captains, each	-	50			
Pay-master,	} to be taken from the line.	{ 25 dollars. 15 15	In addition to their pay in the line.		
Adjutant,					
Quarter-master,					
1 Surgeon,	-	60 dollars.	6 Quarter-masters serjeants, each	-	30
1 Surgeon's-mate,	-	40	6 Trumpeters, each	-	25
1 Saddler,	-	10	12 Serjeants, each	-	25
1 Trumpet-major,	-	11	30 Corporals,	-	25
6 Farriers, each	-	10	324 Dragoons,	-	4

#### IV. Provost.

**Resolved,** That a provost be established, to consist of

	Pay per month.		Pay per month.
1 Captain of provosts,	50 dollars.	2 Serjeants, each	15
4 Lieutenants, each,	33 $\frac{1}{2}$	5 Corporals, each	10
1 Clerk,	33 $\frac{1}{2}$	43 Provosts or privates, each	5
1 Quarter-master serjeant,	15	4 Executioners, each	10
2 Trumpeters, each	10		

This corps to be mounted on horseback, and armed and accoutred  
dragoons.

**Resolved, That in the engineering department three companies be established, each to consist of**

	Pay per month.			Pay per month.
1 Captain,	50 dollars.	4 Corporals,	each	15
3 Lieutenants, each	33 1-3	60 Privates,	each	10
4 Sergeants, each	10			

These companies to be instructed in the fabrication of field work as follows:

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ment, out of the captains or subalterns, and appointed by warrants as above: the officers are to risk their pay in his hands: the pay-masters to have the charge of the clothing, and to distribute the same.

*Resolved*, That the brigade-major be appointed, as heretofore, by the commander in chief, or commander in a separate department, out of the captains in the brigade to which he shall be appointed.

That the brigade quarter-master be appointed by the quarter-master general, out of the captains or subalterns in the brigade to which he shall be appointed.

*Resolved*, That two aids-de-camp be allowed to each major-general, who shall for the future appoint them out of the captains or subalterns.

*Resolved*, That in addition to their pay as officers in the line, there be allowed to an aid-de-camp 24 dollars per month; a brigade-major 24 dollars; and a brigade quarter-master 15 dollars.

*Resolved*, That when any of the staff-officers appointed from the line are promoted above the ranks in the line out of which they are respectively appointable, their staff appointments shall thereupon be vacated.

The present aids-de-camp and brigade-majors to receive their present pay and rations.

*Resolved*, That aids-de-camp, brigade-majors, and brigade quarter-masters, heretofore appointed from the line, shall hold their present ranks, and be admissible into the line again in the same rank they held when taken from the line; provided that no aid, brigade-major, or quarter-master, shall have the command of any officers who commanded him while in the line.

*Resolved*, That whenever the adjutant-general shall be appointed from the line, he may continue to hold his rank and commission in the line.

*Resolved*, That when supernumerary lieutenants are continued under this arrangement of the battalions, who are to do the duty of ensigns, they shall be entitled to hold their rank and receive the pay such rank entitled them to receive.

*Resolved*, That no more colonels be appointed in the infantry; but where any such commission is or shall become vacant, the battalion shall be commanded by a lieutenant-colonel, who shall be allowed the same pay as is now granted to a colonel of infantry, and shall rise in promotion from that to the rank of brigadier; and such battalion shall have only two field officers, viz: a lieutenant-colonel and major, but it shall have an additional captain.

Adjourned to nine o'clock to-morrow.

#### THURSDAY May 28, 1778.

A letter, of the 27th, from brigadier Weedon, was read; Whereupon,

A motion was made for committing it; but, on motion,

*Resolved*, That the consideration thereof be postponed.

In consequence of an adjustment by the auditor-general and commissioners of claims,

*Ordered*, That 1145 78-90 dollars be paid to capt. John Folger, being the balance of his account for his service and expenses, from October, 21st, 1777, to June 1st, 1778.

A report from the board of war being read,

*Resolved*, That major Henry Lee's corps of partizan light dragoons consist of three, instead of two, troops:

That those troops be formed on the old establishment, with the usual allowance of officers; and that those wanted in addition to the present officers in the corps be appointed by general Washington, who is also authorized to appoint a proper person to act as quarter-master to the corps, with the rank of cornet.

The committee to whom was referred a motion respecting the clothier-general's department, brought in a report; Whereupon,

*Resolved*, That all further purchases of clothing on account of the United States, by the clothier-general, his deputies, or agents, be forthwith suspended, and that they be directed immediately to prepare and bring their accounts to the board of treasury, to be liquidated and settled.

*Resolved*, That the hides belonging to the United States be applied towards furnishing the army with shoes, as heretofore, under the direction of the board of war; and that the said board do purchase, or cause to be purchased, shoes, stockings, and linen, for the use of the continental army, and the clothing department shall be properly arranged and organized.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 16,000 dollars be advanced to the marine committee, to be by them paid to William Smith, esq. of Baltimore, on account of an iron he has purchased for the use of the navy in the eastern department; said committee to be accountable:

That 750 42-90 dollars be advanced to the committee of commerce, to enable them to pay Andrew and James Caldwell the freight of sundry wines imported in their sloop from Martinico, on public account; the said committee to be accountable.

Congress proceeded to the election of a commissary-general of purchases, and the ballots being taken, major John Beatty was elected.

Congress proceeded to the election of the secretary to the board of war and ordnance, and the ballots being taken, capt. Robert Smith was elected.

*Resolved*, That until the secretary of the board of war and ordnance be duly qualified and enter upon the execution of his office, all commissions be attested by the secretary of Congress.

The committee to whom was referred the letter of the 18th, signed Washington, brought in a report: Whereupon,

*Ordered*, That all the linen, shirts, stockings, shoes, and blankets, imported on account of these United States now in Boston, Portsmouth, or in other places in the state of Massachusetts-Bay or New-Hampshire, whose hands soever the same may be, be immediately sent forward to the clothier-general or his order, to be by him delivered out, if necessary, for the use of the main army; and that the other articles of imported clothing only, whether they should have been delivered out to any person in the clothing department, or others, or not, be removed with all convenience to Springfield, in the county of Hampshire, in the state of Massachusetts-Bay, there to be stored, if practicable, under the constant care of a public store-keeper, who shall see that they be properly aired and otherwise attended to, so that they receive no damage by being stored; and that no person or persons in whose care the same clothing shall be, is hereby prohibited to deliver out any part of the same without the special order of Congress.

gress, committee of commerce, or of the board of war, from all which great confusion, misapplication, and waste may ensue ; therefore,

*Ordered*, That for the future, all such importations, where not otherwise directed, be delivered into the hands of the continental agent, or his order, only ; and the said agent is hereby strictly forbidden to deliver out any part thereof, without the special order of Congress, the board of war and ordinance, or the committee of commerce.

Adjourned to nine o'clock to-morrow.

FRIDAY, *May* 29, 1778.

A memorial from William Tisdale, esq. judge of the court of admiralty for the state of North-Carolina, and John Cook, esq. proctor and advocate in the said court, in behalf of John Cochran, Cornelius Amble, Isaac M'Key, and Nathaniel Moore, was read, setting forth, that the said John Cochran, &c. brought into that port, and libelled in the court of admiralty, a sloop called the *Tryal*, which was condemned in the said court, and two-thirds of the net proceeds adjudged to the use of the United States, and the other third to the use of the libellants, and praying, for sundry special reasons therein set forth, that the two-thirds adjudged to the use of the United States, may be given up to the use of the said libellants :

*Resolved*, That the prayer of the said memorial be granted.

*Resolved*, That the clothier-general and his agents continue to make up and issue the clothing which they have already purchased, and now have in their stores, any thing in the resolution of the 28th instant to the contrary notwithstanding.

*Resolved*, That a committee of four be appointed to report a plan for regulating continental expresses, and to enquire into and rectify abuses in the general post-office : the members chosen, Mr. R. H. Lee, Mr. S. Adams, Mr. Witherspoon, and Mr. Drayton.

Congress resumed the consideration of the report of the committee lately sent to camp, relative to the establishment of the army : Whereupon,

*Ordered*, That so much thereof as relates to ration, be re-committed.

Congress took into consideration the report of the committee on governor Caswell's letter : Whereupon,

*Resolved*, That the non-commissioned officers and other men belonging to the battalions of the state of North-Carolina, now in camp, be forthwith reduced and formed by the commander in chief into as many battalions as they will complete, according to the number composing the old battalions ; and that such new formed battalions be officered agreeably to the new arrangement of the battalions ; and that all the supernumerary officers be immediately ordered to return to the state of North-Carolina, to officer the men raised by that state to complete their quota of the continental battalions, there to remain till the further order of Congress.

*Resolved*, That the state of North-Carolina be required, to fill up four battalions, and no more, upon the new establishment, in addition to those now in camp, and to officer the same with such of their continental officers, as may be ordered from camp as supernumeraries of the battalions there, or as are within the state of North-Carolina, or with such other persons as they shall think proper ; and that the said four battalions remain within the state of North-Carolina, at such places as the governor shall direct, until the farther order of Congress.

*Resolved*, That the officers, who have been appointed by the said state of North-Carolina to battalions raised by that state, and who shall not be annexed either to their battalions in camp, or to one of the said four battalions, shall not be considered in the service of these United States, but as dismissed therefrom.



*Resolved*, That 100,000 dollars, be paid to capt. Reading Blount, in lieu of gov. Caswell's draught for 500,000 dollars, made in pursuance of a resolution of the general assembly of the state of North-Carolina; the said state to be accountable.

Congress took into consideration the report of the committee on the letters from Mr. President Lowndes, and from generals Howe and Moultrie; Whereupon,

*Resolved*, That an immediate enquiry be made what stores are now in the state of South-Carolina belonging to the United States; and that, for this purpose, the commanding officer of the troops and the continental agent in that state be required to transmit to Congress a full and proper account of the same; and that the president of that state be requested to forward this business by his countenance and authority.

*Resolved*, That the state of South-Carolina be requested to continue, as heretofore, to advance whatever monies may be necessary for the payment of the continental troops in that state; and also for whatever contingent expenses relative to the troops shall accrue on the continental account; and to supervise and examine the expenditure thereof; and that a regular account of all such expenditures be transmitted to Congress up to the 31st day of December in every year, together with the vouchers for the same; and after the said accounts have been liquidated and adjusted by Congress, the same shall be allowed out of the annual quota to be demanded by Congress of the said state; and if such expenditures shall exceed the quota of that state, the balance shall either be immediately remitted to the said state, or carried to its credit in the continental account:

That the state of South-Carolina be allowed to retain the 500,000 dollars, their quota for the present year, as part payment of their account now transmitted to Congress.

*Resolved*, That Mr. President Lowndes acted with propriety and a true regard to the interest of the United States in refusing to advance any further sums of money to col. Huger, deputy quarter-master general, until he accounted for what he had before received; and that the president, by the resolution of the 9th of February last, has a power of suspending from pay and employment, for misbehaviour or neglect of duty, any officer in the quarter-master general's department, or in the commissary-general's department, or any officer of the staff or other civil officer, within his state, appointed by the head of his department and not immediately by Congress.

The committee to whom were referred the letters of gov. Houston and major-general Howe, with the papers enclosed, brought in a report; Whereupon,

*Resolved*, That all military officers and soldiers in the service of the United States are, and of right ought to be, amenable to the laws of the state in which they reside in common with other citizens; but as to the propriety of undertaking distant expeditions or enterprizes, or other military operations, and the mode of conducting them, the general or commanding officer must finally judge and determine at his peril:

That after a careful examination by their committee of the letters of gov. Houston and major-general Howe, and the papers enclosed; Congress do not find that gen. Howe, has been wanting in that attention and respect to the authority of Georgia, which is due from the commanding officer.

*Resolved*, That gov. Houston be assured that Congress are not unmindful of the particular condition of the state of Georgia, but have for some time past had it in contemplation and are disposed to afford that state such aid, and to adopt such measures, as shall give them effectual relief as soon as it will be prudent, consistently with the great and general interest of the United States.

The committee to whom were referred the letters from major-general Green, and lieutenant-colonel Udney Hay, brought in a report, which was agreed to as follows :

Whereas Congress, in the present arrangement of the quarter-master general's department, have given the quarter-master general the appointment of the subordinate officers of that department ;

*Resolved*, That Udney Hay, esq. who, under the former arrangement of the said department, was appointed assistant deputy quarter-master general at Ticonderoga, and a lieutenant-colonel by brevet, cannot now hold that office by virtue of the said appointment, nor be entitled to any privilege or emolument, which either does at present or may hereafter accrue to any officer of the same rank in the line.

*Resolved*, That no persons, hereafter appointed upon the civil staff of the army, shall hold or be entitled to any rank in the army by virtue of such staff appointment.

The marine committee report, that they have conversed with capt. Landais, an experienced sea-officer, and skilled in the construction of ships of war, and that he has demonstrated to their satisfaction, that the 74 gun ship now on the stocks at Portsmouth, in New-Hampshire, may be more profitably for the public, constructed a two-decker, carrying twenty-eight 24 pounders upon the lower battery, and twenty-eight 18 pounders on the upper deck ; in the whole 56 guns :” Whereupon,

*Resolved*, That the ship heretofore intended for one of 74 guns, be constructed to carry 56 guns only, upon two batteries, that is to say, twenty-eight 24 pounders upon the lower deck, and twenty-eight 18 pounders upon the upper deck.

*Resolved*, That the new continental frigate built at Salisbury, in the state of Massachusetts-Bay, and lately launched, be called, “ *The Alliance*.”

*Ordered*, That Mr. R. Peters have leave of absence from the board of war for a short time, on business of importance.

Adjourned to nine o'clock to-morrow.

#### SATURDAY, *May* 30, 1778.

Mr. Wentworth, a delegate from New-Hampshire, attended, and took his seat in Congress.

The committee to whom was referred the letter of the 24th, from gen. Washington, with the papers enclosed, relative to captain Vance, brought in a report :

*Ordered*, That the consideration thereof be postponed.

*Resolved*, That Tuesday next be assigned to take into consideration the articles of confederation.

The committee to whom was referred the letter of the 28th of April, from the president and council of the state of Massachusetts-Bay, brought in a report ; Whereupon,

*Resolved*, That for the reasons assigned by the president and council, Congress approve of their placing about 500 of the British troops of the convention of Saratoga in the barracks at Rutland, and the erecting temporary barracks at that place for the remainder of the British :

That Congress approve of the Hessians being continued in their present stations, if no other places more safe and convenient at a greater distance from Boston can be had ; but do not think it of public utility to permit these troops to proceed immediately to Great-Britain :

That the president and council of Massachusetts-Bay be requested to cause the barracks, in which the troops of the convention may be stationed, to be picketed in, and take effectual measures to render an escape impracticable.

Congress took into consideration a report from the board of treasury, relative to the managers of the lottery; and after debate,

*Ordered*, That it be referred to a committee of three: the members, Mr. R. H. Lee, Mr. Sherman, and Mr. Dana.

*Ordered*, That Mr. F. L. Lee have leave of absence.

*Ordered*, That Mr. Henry have leave of absence.

The board of war, to whom was referred a petition from John Sherman, brought in a report; Whereupon,

*Resolved*, That the sum of 1000 dollars be advanced out of the treasury to Mr. John Sherman, on a loan for two years, free of interest, to enable him to prosecute his business; and that Mr. Sherman execute a warrant to the treasurer, for the use of the United States, for the payment of the above sum, in such warlike implements or stores, and at such prices and periods of delivery, as shall be contracted for between the board of war and the said John Sherman; and in default of such contract, the money to be paid on demand.

The commissioners of claims, with the approbation of the auditor-general's report,

That they have liquidated the accounts of captain Harman Courter's expenses while in the public service, and that there is a balance due to him amounting to 214 18-90 dollars:

*Ordered*, That the said sum be paid.

*Ordered*, That the board of treasury report a proper sum as a compensation for captain Courter's time and trouble in bringing despatches from the commissioners at Paris to Congress.

*Resolved*, That the board of war be directed to report a plan for payment of the sums that may, from time to time, be due to officers and soldiers of the United States, for their pay and rations whilst in captivity.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on Nathaniel Appleton, esq. cashier of the continental loan-office in the state of Massachusetts-Bay, for 78 56-90 dollars, in favor of Parson Jones and Enoch Ilsey, in discharge of a draught of his excellency R. Caswell, governor of North-Carolina, dated Newbern, the 4th of May, 1778, for £ 2876 5s North-Carolina currency, in favor of Richard and James Ellis, expressed to be for clothing purchased for the use of the army; the said state to be accountable.

*Resolved*, That for the space of one month, commencing on Monday next Congress meet at ten o'clock and sit till one, and on the same day, on Wednesdays and Saturdays, meet at three and adjourn at six P. M. unless Congress be not on any account whatever, continued over the time, when one state insists on adjourning.

Adjourned to ten o'clock on Monday.

MONDAY, June 1, 1778.

A letter, of Mr. Gadier M'Intosh, and other papers, were read.

*Ordered*, That the doors of the hall of treasury, and the doors of the hall of war, be referred to the committee on the treasury.

A letter, of Mr. Livingston, from gov. Livingston, was read.

Congress took into consideration a report from Europe, and after debate,

*Resolved*, That the purpose, added to the members chosen

THREE O'CLOCK, P. M.

The committee to whom the instructions to the commissioners of the United States at the several courts in Europe were re-committed. brought in a report, which was taken into consideration, and after some debate thereon, *ordered*, That the farther consideration thereof be postponed. Adjourned to ten o'clock to-morrow.

TUESDAY, June 2, 1778.

A letter, of May the 27th, from gen. Gates, at Fish-kill, enclosing copies of letters that passed between him and gen. Washington, and between him and gov. Trumbull, with sundry other papers, was read, and also a letter of the 23d, from gen. Conway:

*ordered*, That they be referred to the board of war.

Congress proceeded to the election of a deputy adjutant-general in the northern department, in the room of lieutenant-colonel Troop, who declines, whose commission is returned by gen. Gates; and the ballots being taken, colonel William Malcolm was elected.

The board of war having represented, that the corps of artificers is sufficient for the protection of the magazines and stores at Carlisle,

*resolved*, That major Wilson's corps, raised as guards for the stores and magazines at Carlisle, in the state of Pennsylvania, be dismissed from the service of the United States.

*resolved*, That the officers hereinafter mentioned be entitled to draw one ration a day, and no more; that where they shall not draw such ration, they shall not be allowed any compensation in lieu thereof; and to the end, that they may be enabled to live in a manner becoming their station:

*resolved*, That the following sums be paid to them monthly for their subsistence, to wit: to every colonel, 50 dollars; to every lieutenant-colonel, 40 dollars; to every major, 30 dollars; to every captain, 20 dollars; and to every lieutenant and ensign, 10 dollars; to every regimental-surgeon, 15 dollars; to every regimental surgeon's mate, 10 dollars; and to every chaplain of brigade, 50 dollars.

*resolved*, That subsistence money be allowed to officers and others on the staff, in lieu of extra rations, and that henceforward none of them be allowed to draw more than one ration a day.

*ordered*, That the committee of arrangement report to Congress, as soon as possible, such an allowance as they shall think adequate to the station of the respective officers and persons employed on the staff.

The commissioners of claims, with the approbation of the auditor-general, reported,

That there is due to the Rev. Mr. G. Duffield, as chaplain to Congress, from October the 1st, 1777, to April 30, 1778, included, exclusive of rations due to him, being seven months, at 60 dollars per month, 420 dollars, which shall be paid to the Rev. Dr. Witherspoon, at the request of Mr. Duffield:

To Peter Scriber, for making a box for a paper mould for bills of exchange, 10 dollars:

*ordered*, That the said sums be paid.

The committee on the treasury brought in a report; Whereupon,

*ordered*, That 30,395 62-90 dollars, be paid to Reading Blount, in discharge of a draught of his excellency R. Caswell, governor of the state of North-Carolina, in favor of Nicholas Long, deputy pay-master general of the state, for the sum of £1400, and £10,758 5 6, North-Carolina currency expressed to be for the purchase of wagons, and the balance of the said Long's accounts, the said state to be accountable.

*ordered*, That 1500 dollars be paid to capt. Harman Courter, in compensation for his public services, and to defray his expenses at Boston.

*Resolved*, That the order of the day for taking into consideration the articles of confederation, be postponed.

THREE O'CLOCK, P. M.

*Resolved*, That an interpreter and translator of languages to Congress be appointed; that his pay be 100 dollars per month: the ballots being cast, Mr. Paul Fooks was elected.

A letter, of May 31st, from gen. Washington, was read:

*Ordered*, That it be referred to a committee of three: the members, Mr. M'Kean, Mr. Witherspoon, and Mr. J. Smith.

Congress resumed the consideration of the instructions of the members of the United States at foreign courts, and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

Adjourned to ten o'clock, to-morrow.

WEDNESDAY, June 3, 1778.

A letter, of May the 28th, from governor Trumbull, enclosing a letter to Mr. William Tryon, of New-York, and gov. Trumbull's answer, was read.

*Ordered*, That the same be referred to the committee of intelligence.

A letter, of May the 28th, from gen. Washington, and one, of the 29th, from major-general Sullivan, were read:

*Ordered*, That they be referred to the board of war.

A letter, of May the 27th, from J. Wadsworth, commissary-general of purchases, with sundry papers enclosed, was read:

*Ordered*, That the same be referred to a committee of three; the members chosen, Mr. Carroll, Mr. Morris, and Mr. Huntington.

A letter, of May the 17th, from general Schuyler, at Albany, enclosing a message from him to the Oneidas and Tuscaroras, was read:

*Ordered*, That the same be referred to the board of war.

A memorial from capt. Harman Courter, was read, praying to be promoted with the commission of a captain, to be employed when there may be a sufficient number of ships for those now holding that rank, who may be entrusted with the important trust; and in the interim, not to receive any pay until he accrue by virtue of such commission until he is called into actual service.

On motion, that the prayer of the memorial be granted, passed a negative.

*Ordered*, That printed pamphlets, containing lists of the prizes and the adventurers in the first class of the lottery of the United States, be committed by the managers to the assemblies, commissioners of the land-office, post-masters, and lottery agents, and to every person intrusted with the sale of tickets in the several states, for the free inspection of the several subscribers; and that the printers in the several states be requested to publish the whole in weekly portions.

The committee to whom the letter from Washington, brought in

*Ordered*, That it be referred to a committee: the members chosen,

The commissioners of the land-office, to report,

That there is due to Congress, from 1775 30-90 dollars:

To Claypoole & Cist, expenses on a journey to the treasury:

*Ordered*, That the said accounts be paid.  
Adjourned to ten o'clock to-morrow.

THURSDAY, June 4, 1778.

A letter, of the 1st, from brigadier count Pulaski, and one, of May the 23d, from capt. Touzard, were read :

*Ordered*, That they be referred to the board of war.

A letter, of the 2d, from gen. Washington, and one, of the 1st, from Mr. Resolve Smith, were read.

*Resolved*, That a committee of three be appointed to examine the journal, and extract from thence, in order for publication, all the resolutions relative to the government of the army, the regulations of the quarter-master's, commissary's, and clothier's departments, and to the pay and settlements of the accounts of the army : the members chosen, Mr. Carroll, Mr. Matthews, and Mr. Wentworth.

A letter, of the 1st, from gen. Green, quarter-master general, was read :

*Ordered*, That it be referred to the board of war, who are directed to report thereon with all convenient despatch.

A letter of the 2d, from W. Atlee, deputy commissary of prisoners, at Lancaster, was read :

*Ordered*, That the consideration thereof be postponed.

A letter, of May the 6th, from gov. Caswell, enclosing a resolution of the general assembly of North-Carolina, in favor of Mr. de Cambray, was read :

*Ordered*, That the same be referred to the board of war.

A memorial from gen. Conway, was read :

*Ordered*, To lie on the table.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 8583 80-90 dollars be advanced to the committee of commerce, to pay Cumberland Dugan the valuation of his brigantine Abigail, chartered and insured on public account, and which was captured by the enemy, as appears by the captain's protest ; the said committee to be accountable :

That 4704 dollars be advanced to the committee of commerce, to pay a bill drawn on them by Mr. Stephen Ceronio, commercial agent at Cape-Francois, dated March 24th, 1777, in favor of Adam Babcock ; the said committee to be accountable :

That 12,000 dollars be advanced to Joseph Nourse, pay-master to the board of war and ordnance, to enable the board of war and ordnance to pay the sums due to the troops ordered to march to Fort-Pitt ; the said board to be accountable.

*Ordered*, That the resolution passed May the 2d, for paying the prizes in the first class of the lottery, and for drawing the second class, be published.

A letter, of April the 20th, from Dr. Rush to Messrs. Drayton, Huntington, and Banister, the committee appointed to enquire into his charges against Dr. Shippen, was read :

*Ordered*, To lie on the table.

THREE O'CLOCK, P. M.

The board of war having represented the expediency of appointing commissioners to meet the Indians at Fort-Pitt, and to attend the treaty proposed by the late commissioners,

*Resolved*, That three commissioners be appointed for the purpose of holding a treaty with the Delawares, Shawanese, and other Indians, who may assemble at Fort-Pitt, on the 23d of July next.

*Resolved*, That the governor and council of the state of Virginia be authorized and requested to appoint two gentlemen, and the executive power



of the state of Pennsylvania, to appoint one gentleman, of suitable characters, for the purpose aforesaid.

*Resolved*, That Congress will make an adequate allowance for the services and expenses of the said commissioners.

The committee to whom was referred the letter of the 27th, from J. Wadsworth, with the papers enclosed, brought in a report, which was taken into consideration: Whereupon, Congress came to the following resolutions:

Whereas, by a change of circumstances in the commerce of the states, the regulation of prices lately recommended by Congress may be unnecessary; and the measure not being yet adopted by all the states: Therefore,

*Resolved*, That it be recommended to the legislatures of the several states that have adopted it, to suspend or repeal their laws made for that purpose.

*Ordered*, That the farther consideration of the report be postponed till tomorrow.

*Ordered*, That the letter of the 2d, from W. Atlee, with the papers enclosed, be referred to the board of war.

A memorial from E. Blaine, esq. deputy commissary general of powder, was read:

*Ordered*, That it be referred to the board of treasury, who are to report specially thereon.

*Resolved*, That the resolutions of Congress for the arrangement of the army be transmitted to the commander in chief, who, with the advice and assistance of Mr. J. Reed and Mr. Dana, or either of them, is hereby authorized and empowered to proceed in arranging the same according to the said resolutions, and the resolutions of the 10th day of January last; and for this purpose, the committee appointed according to the resolutions mentioned, do transmit to the commander in chief all such materials which are in their possession relative to such arrangement; and further,

*Resolved*, That the commander in chief transmit to the board of war of the officers of the several regiments on the new arrangement, how commissions may be made out for such officers.

A petition from Henry Watts, was read:

*Ordered*, That it be referred to the board of war.

The committee to whom was re-committed the report on the 1st,

The committee on the treasury brought in a report; Whereupon,  
*Ordered*, That upon the application of the board of war and ordnance, 27,520 dollars be paid to Joseph Nourse, pay-master of the said board, to be by him transmitted to brigadier M'Intosh, for the purpose of raising two regiments in the states of Virginia and Pennsylvania, for the defence of the western-frontiers, agreeably to the resolution of the 2d of May last; brigadier M'Intosh to be accountable.

Congress resumed the consideration of the report of the committee on the letter of May 27th, from J. Wadsworth, and some progress being made therein,

*Ordered*, That it be re-committed, and that two members be added to the committee; the members chosen, Mr. R. H. Lee and Mr. Dana.

Adjourned to ten o'clock to-morrow.

### SATURDAY, June 6, 1778.

Mr. Heyward, a delegate from South-Carolina, attended, and took his seat in Congress.

A letter, of the 4th, from gen. Washington, enclosing copies of letters that passed between him and lord Howe and gen. Clinton; also a letter of May the 27th, from lord Howe; and one, of the 3d of June, from gen. sir Henry Clinton, at Philadelphia, accompanied with three acts of the parliament of Great-Britain; were read:

*Ordered*, That the same be referred to a committee of five; the members chosen, Mr. Drayton, Mr. R. H. Lee, Mr. G. Morris, Mr. Witherspoon, and Mr. S. Adams.

*Ordered*, That the committee retire into the next room, and prepare an answer to lord Howe and gen. Clinton's letters.

A letter, of the 6th, from general Conway, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 5th, from the council of Pennsylvania to the delegates of that state in Congress, and a memorial and petition from sundry inhabitants of the county of Northumberland, were laid before Congress, and read:

*Ordered*, That they be referred to the board of war.

A report from the board of war was read; Whereupon,

*Resolved*, That the resolution of Congress of June 2d, relative to the subsistence money to be allowed to officers in the continental service, be extended to all militia or other troops which may from time to time, be called into the continental service, or which may be raised in pursuance of a special resolution of Congress.

*Resolved*, That brigadier M'Intosh be authorized to purchase, and cause to be made up, on the most reasonable terms, such articles of the bounty-clothing for the two regiments which are to be raised in pursuance of the resolution of Congress of the 2d day of May last, as cannot be speedily procured from the commissary of clothing; and that to enable brigadier M'Intosh to execute this resolution, the sum of 60,000 dollars be advanced; for which brigadier M'Intosh is to be accountable.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 1125 dollars be paid to brigadier L. M'Intosh, in discharge of a bill in his favor drawn by Thomas Reed, assistant pay-master, dated camp, the 19th of May, 1778; W. Palfrey, esq. pay-master general, to be accountable.

Another letter, of the 5th, from the council of Pennsylvania to the delegates of that state, was laid before Congress, and read:

*Ordered*, That it be referred to the board of treasury.

The committee appointed to prepare an answer to lord Howe and gen. Clinton's letters, brought in a draught, which was agreed to as follows:

My Lord,

I have had the honor to lay your lordship's letter, of May 27th, with the acts of the British parliament enclosed, before Congress, and I am instructed to acquaint your lordship, that they have already expressed their sentiments upon bills not essentially different from those acts, in a resolution of the 22d of April last.

Your lordship may be assured, that when the king of Great-Britain shall be seriously disposed to put an end to the unprovoked and cruel war waged against these United States, Congress will readily attend to such terms of peace, as may consist with the honor of independent nations, the interests of their constituents, and the sacred regard they mean to pay to treaties.

I have the honor to be, Sir,

Yours,

*Ordered*, That a similar letter be sent to sir Henry Clinton.

A letter, of May 27th, from col. Malcolm, lately appointed deputy assistant-general in the northern department, was read :

*Ordered*, That it be referred to the committee of arrangement.

Adjourned to ten o'clock on Monday.

MONDAY, June 8, 1778.

Mr. Henry Marchant, a delegate from Rhode-Island and Providence Plantations, attended, and produced the credentials of the delegates of that state, which were read as follows :

"STATE OF RHODE-ISLAND AND PROVIDENCE PLANTATIONS

"I certify, that at the general election held at Providence, for the state aforesaid, on the first Wednesday in May inst. the Hon. John Hopkins, esq. hon. William Ellery, esq. the hon. Henry Marchant, esq. and the hon. John Collins, esq. were chosen delegates to represent that state in Congress, for one year, as appears of record. In witness whereof I have hereunto set my hand, this eighth day of May, in the year of our Lord one thousand seven hundred and seventy-eight.

HENRY WARD, Secy.

A letter, of May 26th, from major-general Sullivan, at Providence, was read :

*Ordered*, That it be referred to the committee of intelligence, and the

*Resolved*, That one company of foot be raised in the county of Northumberland, in the state of Pennsylvania, for its immediate defence, and the assistance of the inhabitants of the neighboring counties, so far as it shall be in their power, against the Indians and other enemies that may infest the same, but not to be marched from those frontiers without their own consent :

That this company consist of one captain, one captain-lieutenant, two lieutenants, and one ensign, five serjeants, five corporals, and eighty-five privates, and continue in service for six months from the time of their enlistments, unless sooner discharged by Congress :

That the president and council of the state of Pennsylvania be empowered to issue warrants to suitable persons for officers to enlist the company aforesaid, and to grant a commission to such one as shall enlist 19 men :

That the same pay, rations, and subsistence-money be allowed to this company as to the officers, of the like ranks, and soldiers in the continental army :

That the commissary-general of purchases, or his deputy, be directed to contract with a suitable person to supply this company with provisions :

That each man provide himself with clothes and a blanket :

That 8 dollars be allowed to each man who shall furnish himself with a good rifle and accoutrements :

That the lieutenant, or in his absence, the sub-lieutenants, of the county of Northumberland, be empowered and desired to superintend the said company, give orders relative to its operations, and in case of failure in duty of any of the officers, to report the same to the board of war.

A letter, of the 2d, from gov. Johnson, of Maryland, to the delegates of that state, was laid before Congress :

*Ordered*, That it be referred to the board of war, who are directed to enquire into the matters set forth therein, and to take such measures for the relief of the Maryland troops as can be adopted consistent with a regard to the general wants of the army.

### THREE O'CLOCK, P. M.

Congress resumed the consideration of the report of the committee on the letter from J. Wadsworth, and thereupon came to the following resolution :

Whereas, the exportation of provisions from these states hath occasioned much difficulty in procuring supplies for our armies, and by the capture of vessels concerned in such exportation, the armies of the enemy have been freed from distresses that would have greatly embarrassed their operations ; and, whereas, for the easy supply of our armies, and to embarrass and distress the enemy the ensuing campaign, it is absolutely necessary an embargo should be immediately laid to prohibit such exportations ; and as from the distance of the states from Congress, and the different periods of assembling their legislatures, the good end of such embargo would be totally frustrated, should Congress not proceed to impose the embargo ; therefore,

*Resolved*, That an embargo be, and it hereby is laid, to prohibit the exportation of wheat, flour, rye, Indian corn, rice, bread, beef, pork, bacon, live stock, and other provisions, from any of these United States, from and after the 10th day of June instant, until the 15th day of November next, unless sooner revoked by Congress ; provided, that this embargo shall not be construed to prevent the taking on board such provisions as shall be necessary for the stores, only, of any ships or vessels of war, or others, trading to and from these states.

*Resolved*, That it be earnestly recommended to the respective states, to take the most effectual measures for carrying the foregoing resolution into immediate execution.

Adjourned to nine o'clock to-morrow.

TUESDAY, *June 9, 1778.*

A letter, of the 7th, from gen. Washington, was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. R. H. Lee, Mr. S. Adams, and Mr. Marchant.

A letter, of the 3d, from gen. Gates, with 15 papers enclosed, and one, of May 29th, from gen. Schuyler, at Albany, with three papers enclosed, were read :

*Ordered*, That the letter from gen. Schuyler, with the papers enclosed, be referred to the board of war :

That the letter, from gen. Gates, with the papers enclosed, except those numbered 4, 5, and 6, be referred to a committee of three : the members chosen, Mr. Drayton, Mr. R. H. Lee, and Mr. S. Adams.

*Ordered*, That the board of war be discharged from proceeding on the letter of May 26th, from gen. Sullivan, and that it be referred to the foregoing committee.

*Ordered*, That so much of gen. Gates's letter as relates to establishing a magazine of flour in the eastern department, be referred to the board of war.

A letter, of May 24th, from brigadier Stark, was read :

*Ordered*, That it be referred to the foregoing committee.

A letter, of May 25th, from major-general marquis de la Fayette, with sundry papers enclosed, was read :

*Ordered*, That so much thereof as relates to Mons. Touzard and Mr. de Norman, be referred to the board of war.

A letter of the 5th, from the marquis de la Fayette, was read :

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Kean, Mr. Witherspoon, and Mr. Sherman.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 50,000 dollars be advanced to Dr. Isaac Forster, deputy director-general in the eastern district, for the use of his department ; and for which he is to be accountable.

That 250 dollars be paid to Andrew Armstrong, in discharge of a bill drawn by John Ashe, treasurer of the state of North-Carolina, dated May 22d, 1777, in favor of Edmund Gamble, expressed to be for the service of the United States ; the state of North-Carolina to be accountable.

*Resolved*, That four members be added to the board of treasury : the members chosen, Mr. Heyward, Mr. Marchant, Mr. Wentworth, and Mr. Sherman.

The committee of commerce, to whom was referred the memorial of Mons. Dorie, report, " that the memorialist hath produced to the committee a promissory note, by him subscribed, and which accompanies the report, payable to Congress on the 10th day of January next, for the sum of £1000, continental currency, meaning thereby £1000, Pennsylvania currency, or 2666 2-3 dollars, which promissory note is also undersigned by the hon. George Plater, Francis Lightfoot Lee, John Banister, Charles Carroll, of Carrollton, esqrs. col. Thomas Hartley, hon. W. H. Drayton, John Matthews, Daniel Roberdeau, William Duer, and Gouverneur Morris, esqrs. as security for the above sum ; Whereupon,

*Ordered*, That the sum of 2666 60-90 dollars be advanced to the honorable George Plater, and the other subscribers, to be by them appropriated to the use of the memorialists, if they think proper, they to be chargeable for the re-payment thereof, at the time mentioned in the said note.

THREE O'CLOCK, P. M.

Whereas doubts have arisen as to the sum which shall be paid for the rations which now may be due and owing to officers in the service of these

states, and also as to the vouchers for drawing the same, by reason whereof the intentions of Congress with respect to such officers are frustrated :

*Resolved*, That the value of the rations due since the 1st day of January last, till the 1st inst. be estimated at one-third of a dollar ; and that the officers do present their accounts to the pay-master general, or deputy pay-master general, who shall adjust and pay the same ; provided, always, that the said officers shall make oath to their accounts respectively, which oaths the said pay-masters are hereby empowered and directed to administer, and transmit the said accounts, with the receipts thereon, to the treasury.

*Resolved*, That the deputy director-general of the hospital in the eastern department shall, as heretofore, in the absence of the director-general, superintend the medical affairs of that department, till the further order of Congress.

The committee of arrangement brought in a report on the department of the clothier-general, which was taken into consideration, and some progress being made therein,

*Ordered*, That the further consideration thereof be postponed.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, June 10, 1778.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 200,000 dollars be advanced to Dr. Jonathan Potts, deputy director-general for the middle district, for the use of his department ; he to be accountable.

The committee to whom was referred the letter of the 3d, from gen. Gates, with the papers enclosed, reported the draught of a letter to the several states, which was agreed to as follows :

SIR : Authentic intelligence, received by Congress from many quarters, leave it no longer doubtful in what manner the enemy mean to conduct their plan of conciliation. Under delusive appearances of pacific acts and peace-making commissioners, already their military reinforcements begin to arrive, and already they have commenced the campaign, in many places, with acts of cruelty and devastation. Indian irruptions, and burning houses, in the moment of dispersing propositions for peace, evince the insidious designs of the enemy, and demonstrate the necessity of wisdom in council, of strength and vigor in the field.

The former may be employed to distress the enemy greatly, by withholding from them the provisions of America, and the latter by quickly collecting powerful armies to take advantage of their present weakness.

In duty, therefore, to their constituents, Congress earnestly call upon you, sir, and your state, to adopt the most effectual and vigorous measures for speedily reinforcing the continental army with your quota of troops.

The present moment unimproved, may be productive of the most pernicious consequences, and the public safety demands strong and united efforts. Experience hath shewn that the marine force of our enemies enables them to secure for the support of their armies almost the whole of our exported provisions ; and therefore Congress, impressed with the necessity of preventing the supplies derived to our foes from this source, and desirous of supplying the armies of the United States, have, upon mature deliberation, laid an embargo upon provisions of all kinds, and they earnestly request the vigorous exercise of the powers of your state to carry into effectual execution this most necessary measure.

*Ordered*, That what relates to the reinforcing the continental army be left out in the letters to North-Carolina, South-Carolina, and Georgia ; and that, in the letters to Maryland, Virginia, and North-Carolina, the following clause be added :



The urgent necessity for the provisions with which your state is to furnish the army, induces Congress to press upon you, sir, immediate and constant attention to this important business, and the present absence of the merchant ships from the bay of Chesapeake may be improved by seizing the opportunity of water conveyance to the Head of Elk.

The committee to whom were referred the letter from Mr. de la Rochefoucauld, to the committee of commerce, and the letter from Mr. de la Rochefoucauld to Congress, brought in a report; Whereupon,

*Resolved*, That governor Henry be requested to purchase, for the United States, the articles contained in the list hereto annexed, being part of the cargo of the French ship le Fier Roderique, as cheap as he can, not exceeding the price following, viz. £450 Virginia money for every £100 sterling, to be paid in tobacco, at 10 dollars per hundred, and that a letter be written to his excellency, explaining the principles of such limitation:

*List of Articles.*

Leaden bullets of different sizes; men's silk and woollen stockings; woollen caps; the different kinds of buckles; uniform buttons for the army and soldiers; sleeve buttons; red cadis for the linings of uniforms, and fine shirts; woollen blankets; soldiers' hats; cloths fine, for officers; ditto coarse for soldiers; and light ditto for soldiers; brass buttons; white flannel, sewing thread; linen spatterdashes for soldiers; white clothing ready made; an assortment of handkerchiefs; gun-powder; leather wristbands for shirts; serget of different colors, viz. scarlet, sky-blue, blue, and white, for linings; an assortment of sewing silks; men's shoes; knapsacks; an assortment of brown and white linens; white Mahagoni red Burgundy in cases, 12 groce; claret in casks; 20 casks; and vinegar.

A letter, of this day, from colonel Morgan, was read:

*Ordered*, That it be referred to the committee for foreign affairs.

A petition from William Cochran and Thomas Swaine, of Cambridge county, was read:

*Ordered*, That it be referred to the board of war.

Adjourned to ten o'clock to-morrow.

THURSDAY, June 11, 1778.

A letter, of the 9th, from gen. Washington, was read, enclosing a letter of the 9th, to him, from gen. sir H. Clinton, informing, that the earl of Mifflin, Mr. Eden, and gov. Johnstone, three of the commissioners for making peace between Great-Britain and America, are arrived at Philadelphia, requesting a passport for Dr. Ferguson, their secretary, with a letter to them to Congress, together with a copy of gen. Washington's answer, which were read:

*Ordered*, That the same be referred to the committee on the letter of the 7th, from general Washington.

A letter, of January 22d, from W. Lee, esq. at Paris, was read:

*Ordered*, That it be referred to the committee for foreign affairs.

A letter, of May 31st, of the 30th of the same month

*Ordered*, That so much tempt on Tiverton, be published, be referred to the board of war.

The committee on the letter of the 7th

*Ordered*, That 200,000 puty commissary-general

White, in consequence of the death of commissary-general of pur

The board of war report, "that major Thomas Mullens, late an aid-de-camp to major-general Conway, is an old officer in the French service; that he served the last campaign in the main army, and for his bravery and good conduct, at the battles of Brandywine and Germantown, was honored with particular marks of approbation by the commander in chief, in general orders; that he means to accompany gen. Conway to France, but has not the means of defraying his expenses thither;" Whereupon,

*Resolved*, That maj. Thomas Mullens, who served with honor the last campaign, have a brevet commission of lieutenant-colonel in the armies of the United States.

*Ordered*, That so much of the said report as relates to an advance for lieut. col. Mullen's expenses to France, be referred to the board of treasury.

Colonel Spencer, commanding the brigade late brigadier Conway's, having recommended the Rev. William Rogers to be chaplain to that brigade, Congress proceeded to an election, and, the ballots being taken, the Rev. Mr. William Rogers was elected chaplain to the brigade late commanded by brigadier Conway.

*Ordered*, That the application of Mr. Rogers, for pay, as brigade-chaplain, from July last, be referred to the committee at camp.

The board of war, to whom were referred the letters from the late commissioners at Fort-Pitt, dated April 27th, the letters from the commissioners for Indian affairs, convened at Albany the 15th of April, and sundry letters from major-general Schuyler, relative to the temper and disposition of the Six Nations, report,

That from the information contained in the above papers, and from other information received through a variety of channels, it appears that the cruelties lately exercised by the savages on the frontiers of New-York, Pennsylvania and Virginia, are the commencement of an Indian war, which threatens, with extensive devastation, the frontiers of these United States:

That the nations concerned in carrying on the same, are the Senecas, Cayugas, Mingoes, Wiandots in general, a majority of the Onondagoes, and some few of the Ottowas, Chippawas, Shawanese, and Delawares, acting contrary to the voice of their nations, amounting, in the whole, to about 1600 warriors, exclusive of several Tories and other emissaries from the posts occupied by the enemy in the Indian country:

That from the presence of Mr. Butler and Mr. Magee, two of the British agents for Indian affairs, amongst the Indians, and from a variety of other circumstances, it appears incontestibly that this cruel war has been industriously instigated, and is still prosecuting with unrelenting perseverance, by principal officers in the service of the king of Great-Britain, particularly by colonel Hamilton, commanding officer of the garrison of Detroit:

That the frequent attempts which have been made to conciliate the minds of the hostile tribes, and even the threats which have been made use of by the commissioners convened at Albany in April last, have produced no good effect; but, on the contrary, have confirmed the savages in an opinion industriously inculcated on them by the enemy, that the forbearance of these states proceeds from their inability to revenge the outrages committed against them:

That the Delawares, Oneidas, Tuscaroras, and other friendly Indians, are collecting themselves in bodies, in order to guard against the impending storm; and call loudly for assistance against enemies, whom they have rendered implacable by a warm and steady attachment to the cause of these states:

That from the papers referred to the board, it appears to be the design of the enemy to take post this year at Oswego:

That from the account given by capt. White-Eyes, a Delaware chief, to

the commissioners of Indian affairs lately convened at Fort-Pitt, the fort of Detroit was, during the last winter, in the same defenceless state as has been in for some years past :

These circumstances, collected from the various papers referred to the board have deemed it expedient to recapitulate, and after mature consideration, concur in opinion with the commissioners lately assembled at Fort-Pitt and at Albany, that a defensive war would not only give inadequate security against the inroads of the Indians, but would, at the same time, be more expensive than a vigorous attempt to compel them to peace : Whereupon,

*Resolved*, That an expedition be immediately undertaken, the object of which shall be, to reduce, if practicable, the garrison of Detroit, and to compel to terms of peace such of the Indian nations now in arms against the states as lie on, or contiguous to, the route betwixt Fort-Pitt and Detroit :

That 3000 men be engaged in the service of these states, for the purpose above mentioned :

That Patrick Lockart, esq. be appointed to procure provisions, horses, and other necessaries for the army destined for the above mentioned operations :

That the governor and council of the state of Virginia be requested to the application of the board of war, or of brigadier M'Intosh, to raise such a body of militia, not exceeding 2500 men, as shall be judged necessary to complete the number of men appropriated for this service :

That the sum of 932,748½ dollars be advanced from the treasury in order or the board of war, to be by them applied towards defraying the expenses of the expedition above mentioned :

That the board of war be directed to co-operate with brigadier M'Intosh in every measure necessary for executing the intention of Congress, and to give such instructions to brigadier M'Intosh and to the principal officers employed on this service, as shall, to them, appear best adapted to the success of this expedition.

And, whereas, the success of the expedition against Detroit may be facilitated, and the hostile tribes of Indians sooner reduced to terms of peace, by another expedition from the Mohawk-river to the Seneca country, in order to chastise that insolent and revengeful nation, and to dispossess the enemy from Onwego, should they have taken possession of that post :

*Resolved*, That major-general Gates, or the officer commanding the troops on the east side of Hudson's river, and in the northern department, be directed to take the most expeditious measures for carrying the war into the Seneca's country, in order to reduce to terms of peace, such of the nations as are hostile, and to dispossess the enemy from Onwego, should they have taken possession of that post :

That the commissioners of Indian affairs in the northern department, or any of them who may be at Albany, be directed to co-operate with major-general Gates and the officer appointed to command on this expedition, in the execution of this

That the board of war be directed to direct the progress of the expedition, and to direct the troops from that place, as the two armies may, as f

That major-general Gates be directed to direct the expedition :

The committee to be composed of leather breeches, and of

*Resolved*, That the committee be composed of leather breeches, and of

that the clothier-general do settle and adjust the accounts of the said Joseph Carson, and pay him what shall appear to be due agreeably to the above estimate.

A motion was made, that general Washington be directed to order an enquiry to be made into the conduct of major-general Mifflin, late quarter-master general, and the other officers who acted under him in that department; and if it shall appear that the extraordinary deficiencies thereof, and the consequent distresses of the army, were chargeable to the misconduct of the quarter-master general or any of the said officers, that a court-martial be forthwith held on the delinquents:

On motion, that the consideration thereof be postponed; the yeas and nays were required by Mr. Gerry, on the question for postponing;

<i>New-Hampshire</i> , Mr. Bartlett,	ay	} ay	<i>Pennsylvania</i> , Mr. Roberdeau,	no	} no
Wentworth,	ay		<i>Delaware</i> , Mr. M'Kean,	no	
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay	} ay	<i>Maryland</i> , Mr. Carroll,	no	} no
Gerry,	no		Plater,	no	
Dana,	ay		<i>Virginia</i> , Mr. R. H. Lee,	ay	} no
Lovell,	ay		Banister,	no	
<i>Rhode-Island</i> , Mr. Ellery,	ay	} div.	T. Adams,	no	
Marchant,	no		<i>S.-Carolina</i> , Mr. Laurens,	no	} no
<i>Connecticut</i> , Mr. Sherman,	ay	} ay	Drayton,	no	
Huntington,	ay		Matthews,	no	
Wolcott,	no		Hutson,	no	
<i>New-York</i> , Mr. Lewis,	no	} no	Heyward,	ay	
G. Morris,	no		<i>Georgia</i> , Mr. Langworthy,	no	
<i>New-Jersey</i> , Mr. Witherspoon,	ay	} div.			
Elmer,	no				

So it passed in the negative.

It was then moved to strike out the word "forthwith;" and on the question put, resolved in the affirmative.

On the question put, to agree to the motion as amended, resolved in the affirmative.

A petition from sundry inhabitants of the town of York, in behalf of John King, who is under sentence of death for desertion, was read; Whereupon,

*Ordered*, That the execution of the said John King be suspended till Tuesday next.

Adjourned to ten o'clock to-morrow.

#### FRIDAY, June 12, 1778.

A petition from col. David Kennedy was read:

*Ordered*, That it be referred to the board of war.

Congress being informed that Mr. P. Livingston, one of the delegates for the state of New-York, died last night, and that circumstances require that his corpse be interred this evening:

*Resolved*, That Congress will, in a body, attend the funeral this evening, at six o'clock, with a crape round the arm, and will continue in mourning for the space of one month.

*Ordered*, That Mr. Lewis, Mr. Duer, and Mr. G. Morris, be a committee to superintend the funeral, and that the Rev. Mr. Duffield, the attending chaplain, be notified to officiate on the occasion.

The committee to whom was referred the letter of the 9th, from general Washington, with the papers enclosed, brought in a report, which was taken into consideration, and, after debate,

*Ordered*, That the farther consideration thereof be postponed.

The committee appointed to examine the evidence collected, and state charges against the general officers who were in the northern department, when Ticonderoga and Mount-Independence were evacuated, brought in a report, which was read:

*Ordered*, To lie on the table.

Adjourned to ten o'clock to-morrow.

SATURDAY, June 13, 1778.

A letter, of this day, from captain Robert Smith, lately appointed secretary to the board of war and ordnance, was read, requesting to be shown whether the appointment is considered as inconsistent with the duty he at present holds in the army, and if it is, expressing a desire to remain in the line, in which he has for some time been engaged; Whereupon,

*Resolved*, That capt. Smith have leave to resign his appointment as secretary to the board of war and ordnance.

*Ordered*, That Tuesday next be assigned for electing a secretary to the board of war and ordnance.

A letter, of the 8th, from gen. Green, quarter-master general, was read.

*Ordered*, That it be referred to a committee of three: the members were, Mr. Sherman, Mr. Witherspoon, and Mr. R. H. Lee.

A letter, of this day, from capt. John M'Pherson, was read:

*Ordered*, That it be referred to the marine committee.

A paper from Mr. de Francey was laid before Congress:

*Ordered*, That it be referred to the committee of commerce.

A report from the board of war, relative to Mr. du Cambray, was read and considered,

*Resolved*, That Mons. du Cambray be annexed to the corps d'armee commanded by brigadier du Portail, with the rank and pay of a lieutenant colonel.

*Resolved*, That the delegates from the states of New-Hampshire, Massachusetts-Bay, and Connecticut, be requested to write, in the next Congress, to their respective states, setting forth the urgent necessity of immediately raising the quota of troops by them respectively assigned, to be under the command of major-general Sullivan, for the relief of Rhode-Island and Providence Plantations, and to prevent further incursions of the enemy in that state.

Congress resumed the consideration of the report of the committee on a letter, of the 9th, from gen. Washington, with the papers enclosed:

During the debate, an express arrived with a letter of the 11th, from gen. Washington, which was read; also, a packet, in which was enclosed, together with other papers, a letter signed "Carlisle, William Eden, George Stone," dated Philadelphia, June the 9th, 1778, and directed "to his excellency Henry Laurens, the president, and others, the members of Congress," which letter was read to the words "insidious interposition of a power has, from the first settlement of the colonies, been actuated with a view to us both; and, notwithstanding the pretended date or present kind of French offers," inclusive; whereupon the reading was interrupted, and a motion was made not to proceed farther, because of the offensive nature of the paper against his most Christian majesty: debates arising thereon,

*Ordered*, That the farther consideration of the motion be postponed.

Adjourned to ten o'clock on Monday.

MONDAY

A letter, of the 1st, from B. Virginia, with a copy of his address,

*Ordered*, That it be referred to the committee of the whole.

A letter, of the 5th, from W. Massachusetts, was read:

*Ordered*, That it be referred to the committee of the whole, Mr. Dana, Mr. Lewis and I.

A letter, of May 26th, from the state of New-Jersey, was laid before Congress.

**Ordered,** That it be referred to the foregoing committee.

Another letter, of May 23d, from gov. Henry to the delegates enclosing a resolution passed by the house of delegates of Virginia, May 18th, was read :

**Ordered,** That the consideration thereof be postponed,

A letter, of May 25th, from major-general Heath, enclosing sundry papers, was read.

A letter, of the 10th, from major-general Gates, with sundry papers enclosed, was read :

**Ordered,** That it be referred to the board of war.

A letter from Udney Hay, was read.

The committee on the treasury brought in a report ; Whereupon,

**Ordered,** That 90,000 dollars be advanced to W. Buchanan, late commissary-general of purchases, to be by his request paid to Daniel Kellogg, who is to transmit the same to Henry Champion, purchaser of cattle in the eastern-district ; the said W. Buchanan to be accountable.

The commissioners of claims report, that there is due, to the Rev. Mr. Lotbinier, chaplain, for his pay and rations to the 10th inst. the sum of 53 63-90 dollars :

**Ordered,** That the said account be paid.

The auditor-general and commissioners of claims having, in consequence of the resolution of May 25th, reported upon the accounts of Dr. Forster,

**Ordered,** That it be referred to the board of treasury, and that the accounts of Dr. Forster be adjusted agreeably to the said report, when he shall produce vouchers shewing the expenditures of the stores by him procured and charged in the said account.

A letter, of the 1st, from F. Hopkinson, enclosing an account for compiling indexes to the two first volumes of the journals of Congress, and directed to the committee appointed to superintend the publication, was laid before Congress :

**Ordered,** That it be referred to the board of treasury.

THREE O'CLOCK, P. M.

Congress resumed the consideration of the motion respecting the letter from the commissioners of the king of Great-Britain, and after debate thereon, Adjourned to ten o'clock to-morrow.

TUESDAY, June 16, 1778.

**Resolved,** That the board of war be directed to order col. Hartley's regiment immediately to repair to camp, and join the army.

**Resolved,** That a committee of three be appointed to prepare a resolution for preventing any correspondence with the enemy : the members chosen, Mr. Drayton, Mr. S. Adams, and Mr. R. H. Lee.

A letter, of the 13th, from J. Nourse, secretary to the board of war and ordnance, was read :

**Ordered,** That it be referred to the board of treasury.

A memorial from capt. Talleman and other French captains in the port of Boston, was read, complaining of an affront offered by the captain of the Warren frigate to their commandant, and praying redress :

**Ordered,** That it be referred to the marine committee, and that they be directed to take order thereon.

A letter, of the 11th, from col. B. Flower, commissary-general of military stores, was read :

**Ordered,** That it be referred to the board of treasury.

The committee on the treasury brought in a report : Whereupon,

**Ordered,** That 7784 60-90 dollars be advanced to the delegates of Virginia, upon their application, for the use of that state, which is to be accountable :



That 750,000 dollars be advanced to J. Nourse, pay-master to the land of war and ordnance, to be by him transmitted to Jonathan Trumbull, pay-master in the northern-department, for the use of the said depots and the posts on Hudson's river; the said J. Trumbull to be accountable.

The committee to whom was referred the letter of the 8th inst. from Green, quarter-master general, brought in a report, which was read:

*Ordered*, That it be referred to the board of treasury.

Congress resumed the consideration of the motion respecting the letter from the commissioners of the king of Great-Britain, which was read to read as follows:

That Congress cannot hear any language reflecting upon the honor of most Christian majesty, the good and faithful ally of these states:

A motion was made, that the consideration thereof be postponed, the question being put, the yeas and nays being required by Mr. Dyer.

<i>N.-Hampshire</i> , Mr. Bartlett,	ay	} ay	<i>Pennsylvania</i> , Mr. Robertson,	a
Wentworth,	ay		J. B. Smith,	a
<i>Massachusetts</i> , Mr. S. Adams,	ay	} ay	Clingens,	a
Gerry,	no		<i>Delaware</i> , Mr. McKean,	a
Dana,	ay		<i>Maryland</i> , Mr. Plater,	a
Lovell,	ay		Carroll,	a
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	<i>Virginia</i> , Mr. R. H. Lee,	a
Marchant,	ay		Banister,	a
<i>Connecticut</i> , Mr. Sherman,	ay	} ay	T. Adams,	a
Huntington,	ay		<i>S.-Carolina</i> , Mr. Laurens,	a
Wolcott,	ay		Drayton,	a
<i>New-York</i> , Mr. Lewis,	ay	} dia.	Matthews,	a
G. Morris,	no		Hudson,	a
<i>New-Jersey</i> , Mr. Witherspoon,	ay	} ay	Heyward,	a
Elmer,	ay		<i>Georgia</i> , Mr. Langworth,	a

So it was resolved in the affirmative.

A motion was then made, that the letter from the commissioners of the king of Great-Britain lie on the table: passed in the negative.

*Ordered*, That the letters and papers accompanying it, be read; Whereupon

A letter, of the 9th, and one dated June 1778, both signed Charles William Eden, and George Johnstone; and a paper endorsed "copy of the commission for restoring peace, &c." To the earl of Carlisle, lord vice-chamberlain of Great-Britain, and also three acts of the parliament of Great-Britain, were read:

*Ordered*, That they be referred to a committee of five: the members, Mr. R. H. Lee, Mr. S. Witherspoon.

#### TH

Congress took into consideration a memorial from the board of treasury, dated May 5th; Whereupon

*Resolved*, That the board of treasury, the board of ordnance, the board of the marine committee, the board of the navy, and secretary of Congress, and their clerks respectively, having due regard to their

The committee to whom was referred the letter from the earl of Carlisle, &c. commissioner of Great-Britain, brought in a draught of a letter, which was read:

*Ordered*, That the farther consideration thereof be postponed to-morrow.

A report from the board of war was read; Whereupon, Congress came to the following resolution:

Whereas, Congress, on the 2d day of May last, resolved that two regiments be raised in Virginia and Pennsylvania, to serve for one year, and it is expedient that as many as possible of the non-commissioned officers and soldiers should provide themselves with arms and other necessities:

*Resolved*, That each non-commissioned officer and soldier of the said regiment, who shall so provide himself with arms and other necessities, shall receive the following compensations, to be paid as soon as he has passed muster, upon producing the said articles, viz.

For a good serviceable rifle, with a powder-horn, bullet-pouch, and mould, eight dollars; for a good serviceable musket, with a bayonet and a powder-horn, and a bullet-pouch, or good cartouch-box, six dollars; for a like musket and accoutrements, without a bayonet, five dollars; for a knapsack, two dollars; for a havresack, one dollar; for a blanket, eight dollars.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, June 17, 1778.

A letter, of the 2d, from gen. Schuyler, with papers of intelligence enclosed, was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 4th, from gov. Livingston, was read, with four affidavits enclosed, respecting the enemy's treatment of citizens of New-Jersey, at Hancock's bridge:

*Ordered*, That they be referred to the committee appointed to prepare a manifesto on the conduct of the enemy.

*Ordered*, That the said committee proceed with all despatch in the business committed to them, and publish such facts relative to the conduct of the enemy as they may have collected, and have come to them well authenticated.

A letter, of the 8th, from gov. Livingston, and one of May 29th, from gov. Clinton, were read.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That to-morrow be assigned for electing a commissioner of accounts for the northern district.

*Ordered*, That 4000 dollars be advanced to the committee of commerce, to pay a bill for that sum, drawn by John Bradford, continental agent at Boston, on the said committee, in favor of capt. Patrick Brown, dated the 13th of May last; the said committee to be accountable:

That 600,000 dollars be advanced to the board of war and ordnance, being in part of the 932,743 30-90 dollars, voted the 11th inst. for carrying on an expedition against the Indians; the said board to be accountable.

A letter, of the 16th, from the board of war, was read.

Congress resumed the consideration of the draught of a letter in answer to the letters and papers from the earl of Carlisle, &c. commissioners of the king of Great-Britain:

On the question to agree to the said draught, the yeas and nays were required by Mr. Dana,

<i>New-Hampshire</i> , Mr. Bartlett,	ay	}	ay	<i>New-York</i> ,	Mr. Lewis,	ay	}	ay
Wentworth,	ay			Ducr,	ay			
<i>Massa'sts-Bay</i> , Mr. S. Adams,	ay	}	ay		G. Morris,	ay	}	ay
Gerry,	ay			<i>New-Jersey</i> ,	Mr. Witherspoon,	ay		
Dana,	ay			Elmer,	ay			
Lovell,	ay			<i>Pennsylvania</i> ,	Mr. Roberdeau,	ay		
<i>Rhode-Island</i> , Mr. Ellery,	ay	}	ay		J. B. Smith,	ay	}	ay
Marchant,	ay			Clingan,	ay			
<i>Connecticut</i> , Mr. Sherman,	ay	}	ay	<i>Delaware</i> ,	Mr. M'Kean,	ay	}	ay
Huntington,	ay			<i>Maryland</i> ,	Mr. Plater,	ay		
Wolcott,	ay				Carroll,	ay		

Virginia,	Mr. R. H. Lee,	ay	} ay	S.-Carolina,	Mr. Laurens,	ay	} ay
	Banister,	ay			Drayton,	ay	
	T. Adams,	ay			Mathews,	ay	
					Hutson,	ay	
				Georgia,	Mr. Langworthy,	ay	ay

So it was unanimously agreed to, and is as follows:

"I have received the letter from your excellencies of the 9th instant, with the enclosures, and laid them before Congress. Nothing but an earnest desire to spare the further effusion of human blood could have induced them to read a paper containing expressions so disrespectful to his most Christian majesty, the good and great ally of these states, or to consider propositions so derogatory to the honor of an independent nation.

The acts of the British parliament, the commission from your sovereign, and your letter, suppose the people of these states to be subjects of the crown of Great-Britain, and are founded on the idea of dependence, which is utterly inadmissible.

I am further directed to inform your excellencies, that Congress are inclined to peace, notwithstanding the unjust claims from which this war originated, and the savage manner in which it hath been conducted. They will, therefore, be ready to enter upon the consideration of a treaty of peace and commerce not inconsistent with treaties already subsisting, when the king of Great-Britain shall demonstrate a sincere disposition for that purpose. The only solid proof of this disposition, will be, an explicit acknowledgment of the independence of these states, or the withdrawing his fleets and armies. I have the honor to be,

Your excellencies most obedient and humble servant."

*Resolved*, That a committee of three be appointed to make proper extracts from the journal and files relative to the letters received from the British commissioners, and report to Congress previous to a publication: the members chosen, Mr. G. Morris, Mr. R. H. Lee, and Mr. Drayton.

*Resolved unanimously*, That Congress approve the conduct of general Washington, in refusing a passport to Dr. Ferguson.

The committee appointed to report upon the means of preventing a correspondence with the enemy, brought in a report; Whereupon, Congress came to the following resolution:

Whereas, many letters, addressed to individuals of these United States, have been lately received from England, through the conveyance of the enemy, and some of them, which have been under the inspection of Congress, are found to contain ideas insidiously calculated to divide and delude the good people of these states:

*Resolved*, That it be, and it is hereby earnestly recommended to the legislative and executive authorities of the several states, to exercise the utmost care and vigilance, and take the most effectual measures to put a stop to so dangerous and criminal a correspondence.

*Resolved*, That the commander in chief and the commanders in each and every military department be, and he and they are hereby directed to carry the measures recommended in the above resolution into the most effectual execution.

*Ordered*, That the foregoing resolutions be forthwith published, and it is recommended to the several printers in the United States to re-publish the same.

Adjourned to ten o'clock to-morrow.

THURSDAY, June 18, 1778.

A letter, of the 15th, from general Washington, was read:

*Ordered*, That it be referred to the board of war, and that the board be

directed to report to Congress the grounds and terms upon which the exchange of prisoners between general Washington and general Clinton has taken place.

A letter, of the 17th, from Mr. William Carmichael, at York-town, was read :

*Ordered*, That it be referred to the committee on foreign affairs.

The committee appointed to make proper extracts from the journals and files, &c. made their report; Whereupon it was moved,

That the letters from the commissioners and their commission, together with the letter of Congress in answer thereto, being part of the said report, and no more, be published :

Question put, passed in the negative.

A motion was then made, that the amended motion, with the motion for postponing the consideration thereof, and the yeas and nays as entered on the 16th, be published :

On which the previous question was moved, and the yeas and nays being required by Mr. Witherspoon,

<i>New-Hampshire</i> , Mr. Bartlett,	ay	} ay	<i>Delaware</i> ,	Mr. M'Kean,	ay	} ay
Wentworth,	ay		<i>Maryland</i> ,	Mr. Plater,	no	
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay	} ay		Carroll,	ay	} div.
Dana,	ay		<i>Virginia</i> ,	Mr. R. H. Lee,	ay	
Lovell,	ay			Banister,	ay	
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay		T. Adams,	ay	} ay
Marchant,	ay		<i>S.-Carolina</i> ,	Mr. Laurens,	ay	
<i>New-York</i> , Mr. Lewis,	ay	} div.		Drayton	no	} ay
G. Morris,	no			Matthews,	ay	
<i>New-Jersey</i> , Mr. Witherspoon,	no	} div.		Hutson,	ay	
Elmer,	ay			Heyward,	ay	
<i>Pennsylvania</i> , Mr. J. B. Smith,	no	} div.	<i>Georgia</i> ,	Mr. Langworthy,	no	} no
Clingan,	ay					

So it passed in the affirmative, and the motion was set aside.

*Ordered*, That the extracts made by the committee be published.

### THREE O'CLOCK, P. M.

A letter, of the 16th, from Mr. Holker, at York-town, with sundry papers enclosed, was read :

A motion was made, that the same be committed, and the question put, the yeas and nays being required by Mr. R. H. Lee,

<i>New-Hampshire</i> , Mr. Bartlett,	ay	} ay	<i>Pennsylvania</i> , Mr. J. B. Smith,	ay	} ay
<i>Massa'chts-Bay</i> , Mr. S. Adams,	ay		Clingan,	ay	
Gerry,	ay	} ay	<i>Delaware</i> , Mr. M'Kean,	ay	} ay
Dana,	no		<i>Maryland</i> , Mr. Plater,	ay	
Lovell,	ay		Carroll,	ay	
<i>Rhode-Island</i> , Mr. Ellery,	no	} no	<i>Virginia</i> , Mr. R. H. Lee,	no	} ay
Marchant,	no		Banister,	ay	
<i>Connecticut</i> , Mr. Sherman,	ay	} ay	T. Adams,	ay	
Huntington,	ay		<i>S.-Carolina</i> , Mr. Laurens,	ay	} ay
<i>New-York</i> , Mr. Lewis,	ay	Drayton,	ay		
G. Morris,	ay	Matthews,	ay		
<i>New-Jersey</i> , Mr. Witherspoon,	ay	Hutson,	ay		
Elmer,	ay	} ay	Heyward,	ay	} ay
			<i>Georgia</i> , Mr. Langworthy,	ay	

So it was resolved in the affirmative.

*Resolved*, That the committee consist of three : the members chosen, Mr. G. Morris, Mr. Witherspoon, and Mr. M'Kean.

A motion was then made, that the committee be limited to confer with Mr. Holker on the subject of the payment of 400,000 livres to persons interested therein, as owners or otherwise concerned in the private vessels of war, Hancock and Boston :

On which the previous question was moved, and the yeas and nays required by Mr. R. H. Lee,

<i>New-Hampshire</i> , Mr. Bartlett,	ay	ay	<i>Delaware</i> ,	Mr. McKean,	ay
<i>Massachusetts-Bay</i> , Mr. S. Adams,	no	no	<i>Maryland</i> ,	Mr. Pater,	ay
Gerry,	ay			Carroll,	ay
Dana,	no		<i>Virginia</i> ,	Mr. R. H. Lee,	ay
Lovell,	no			Barister,	ay
<i>Rhode-Island</i> , Mr. Ellery,	no	no		T. Adams,	ay
Marchant,	no		<i>S. Carolina</i> ,	Mr. Laurens,	ay
<i>Connecticut</i> , Mr. Sherman,	ay	ay		Drayton,	ay
<i>New-York</i> , Mr. Lewis,	ay	ay		Mathews,	ay
Duer,	ay			Hutson,	ay
<i>New-Jersey</i> , Mr. Witherspoon,	no	no		Heyward,	ay
Elmer,	no		<i>Georgia</i> ,	Mr. Langworth,	ay
<i>Pennsylvania</i> , Mr. J. B. Smith,	no	no			
Clingan,	no				

So it passed in the negative.

The main question was then put; the yeas and nays being required by Mr. S. Adams,

<i>N. Hampshire</i> , Mr. Bartlett,	no	no	<i>Delaware</i> ,	Mr. McKean,	ay
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay	div.	<i>Maryland</i> ,	Mr. Pater,	ay
Gerry,	no			Carroll,	ay
Dana,	ay		<i>Virginia</i> ,	Mr. R. H. Lee,	ay
Lovell,	no			Barister,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	ay		T. Adams,	ay
Marchant,	ay		<i>S. Carolina</i> ,	Mr. Laurens,	ay
<i>Connecticut</i> , Mr. Sherman,	ay	ay		Drayton,	ay
<i>New-York</i> , Mr. Lewis,	no	no		Mathews,	ay
Duer,	no			Hutson,	ay
<i>New-Jersey</i> , Mr. Witherspoon,	no	div.		Heyward,	ay
Elmer,	ay		<i>Georgia</i> ,	Mr. Langworth,	ay
<i>Pennsylvania</i> , Mr. J. B. Smith,	no	no			
Clingan,	no				

So it passed in the negative.

The marine committee brought in a report; Whereupon,

*Resolved*, That the commissioners of the respective continental boards, and the persons by them appointed to constitute marine courts, be authorized to administer oaths when acting on such courts, and that the said commissioners have also authority to administer oaths in cases they may be necessary upon the settlement of such marine courts as may come under consideration of the said commissioners.

A letter, of 1

Adjourned to

Mr. Hancock  
seat in Congress

Mr. Scudder  
seat in Congress

A letter, of 1  
tive to the cond

*Ordered*, That  
manifesto, &c.

A letter, of  
the assembly of

*Ordered*, That  
*Ordered*, That

was read the 1st

A petition from sundry navy officers and declarations respecting captain Burke, and a petition from four captains and four lieutenants of marines, were read :

*Ordered*, That the same be referred to the marine committee.

A letter, of the 1st, from John Browne, president of the board of war of Massachusetts-Bay, with a manifest of the cargo of the Lady of Mount Carmel and St. Antonio enclosed, was read :

*Ordered*, That the same be referred to a committee of three ; the members chosen, Mr. R. H. Lee, Mr. Ellery, and Mr. Dana.

A letter, of May 6th, from James Whitefield, speaker of the assembly of Georgia ; two, of April 13th, from major-general R. Howe, at Savannah ; one, of April 16th, from gov. Houston, of Georgia, and the proceedings of the assembly of that state, were laid before Congress :

*Ordered*, That they be referred to a committee of three : the members chosen, Mr. Drayton, Mr. M'Kean, and Mr. Duer.

The committee for foreign affairs laid before Congress sundry letters from the commissioners at foreign courts, among which were one of the 6th, one of the 15th, and one of the 31st of January, signed A. Lee, directed to the hon. the chairman of the committee of correspondence : one of the 16th of January, signed B. Franklin and Silas Deane, directed to the hon. the committee of foreign affairs of the United States of North-America ; Mr. Duer also laid before Congress a letter directed to him from Ralph Izard, dated Paris, December 22d, 1777 :

*Ordered*, That they be referred to a committee of five ; the members chosen, Mr. Witherspoon, Mr. Dana, Mr. G. Morris, Mr. Drayton, and Mr. Heyward.

Mr. Lovell also laid before Congress a letter of December 21st, 1777, from B. Franklin, which was read.

### THREE O'CLOCK, P. M.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer for 1,500,000 dollars ; and another warrant on Thomas Smith, esq. commissioner of the loan-office in the state of Pennsylvania, for 500,000 dollars, in favor of Charles Pettit, esq. upon an application of major-general Green, quarter-master general, for the use of his department ; gen. Green to be accountable :

That 1,700,000 dollars be advanced to Jeremiah Wadsworth, esq. commissary-general of purchases, for the use of his department ; he to be accountable :

That 100,000 dollars be paid to Joseph Nourse, pay-master of the board of war and ordnance, to be by him transmitted to col. Benjamin Flower, commissary-general of military stores, for the use of his department :

That 300,000 dollars be advanced to Jeremiah Wadsworth, commissary-general of purchases, to be paid to Mr. Frederick Trasy, for the use of the commissary-general's department ; the said Jeremiah Wadsworth to be accountable.

*Resolved*, That the sum of 8223 livres tournois and four sous, and 200 dollars, be allowed to major-general Conway, as a gratuity for his time and expenses previous to his entering into the pay of the United States, and for his return to France ; and that bills of exchange be drawn by the president on the commissioners at Paris, in favor of major-general Conway, for 7792 livres tournois ; and that a warrant issue on the treasurer for 321 30-90 dollars, in favor of the said gen. Conway ; which sums are the balance of his account with the United States.

*Resolved*, That bills of exchange for 110 livres tourpois be drawn by the president in favor of lieut. col. Mullens, on the commissioners at Paris ; and that a



warrant issue on the treasurer in favor of lieut. col. Mallens, for 42 1/2 dollars, which sums are the balance of his accounts with the United States and that the same be delivered to gen. Conway.

The marine committee brought in a report ; Whereupon,

*Resolved*, That capt. Peter Landais be appointed to command the frigate called the Alliance.

*Resolved*, That col. William Malcolm, deputy adjutant-general in the army, now under the command of major-general Gates, be permitted to retain his rank in the army, and his regiment, if the same shall be kept up in the new arrangement now making.

*Resolved*, That to-morrow be assigned for taking into consideration the articles of confederation.

Congress proceeded to the election of a commissioner of accounts in the northern department, and, the ballots being taken, Edward Chinn, esq. was elected.

Adjourned to ten o'clock to-morrow.

### SATURDAY, June 20, 1778.

Mr. John Collins, a delegate from Rhode-Island, attended, and took his seat in Congress.

A letter, of the 18th, from gen. Washington, was read, informing, that the enemy have evacuated Philadelphia :

*Ordered*, That it be referred to the committee of intelligence.

A letter, of the 11th, from gov. Livingston, and one, of May 23d, from col. Ethan Allen, were read :

*Ordered*, That the letter from col. Allen be referred to the board of war.

The committee on Indian affairs, to whom was referred the letter of the 10th, from col. G. Morgan, brought in a report ; Whereupon,

*Resolved*, That the committee of commerce be directed to procure such and such other articles as are proper for presents to the western Indians, to the amount of 10,000 dollars, and transmit the same to Fort-Pitt, to the commissioners, who are to treat with the Indians there on the 23d of July next : and that the said commissioners be directed to dispose of the goods among the said Indians in such manner as they shall judge will best conduce to conciliate their affections and secure them in the interest of the states :

That the said commissioners be empowered to draw on the military chest at Fort-Pitt, for such sums as shall be necessary to defray the current expenses of the said treaty.

*Ordered*, That the several boards of Congress put themselves in motion to remove from this place.

A motion being made for an advance of 100,000 dollars to the state of New-York,

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report ; Whereupon,

*Resolved*, That 5,000,000 of dollars be emitted under the direction of the board of treasury, and on the faith of the United States :

That the bills shall, excepting the numbers, be of the same tenor and as the emission directed on the 11th day of April last, and be numbered in the last number of each respective denomination progressively, and consist of the following denominations, viz.

41,667 of the denomination			41,667 of the denomination		
	of 40 dollars,	1,666,680		of 6 dollars,	250,000
41,667	do. of 30 do.	1,250,010	41,666	do. of 5 do.	250,000
41,666	do. of 20 do.	833,320	41,667	do. of 4 do.	166,667
41,666	do. of 8 do.	333,328			
41,666	do. of 7 do.	291,662			

That all powers and duties of Michael Hillegas, esq. and of the inspectors of the press, signers, and printers of the emission directed on the 20th day of May, 1777, shall extend to the said 5,000,000 of dollars now to be emitted, subject, however, to such directions and instructions as the board of treasury may judge expedient.

The committee on the treasury, report, "That the commissioners of claims have communicated to the board, sundry errors in the accounts of B. Flower, commissary-general of military stores, referred to them for their examination, and that it appears to the board that some of the accounts and receipts strongly indicate intentions of fraud in Cornelius Sweers, deputy commissary-general of military stores:" Whereupon,

*Resolved*, That the board of war be directed, forthwith, to cause the said Cornelius Sweers to be arrested and secured until farther enquiry can be made into his conduct in the premises.

Congress proceeded to take into consideration the articles of confederation: and, on motion,

*Resolved*, That the delegates of the states, beginning with New-Hampshire, be called upon for the report of their constituents upon the confederation, and the powers committed to them; and that no amendments be proposed but such as come from a state.

*Resolved*, That the proceeding on the articles of confederation be postponed to Monday next, and that it be taken up immediately after the reading of the public letters and reports of the treasury, if any there are.

*Ordered*, That a copy of the report of the committee appointed to examine the evidence collected, and to state the charges against the general officers who were in the northern department when Ticonderoga and Mount-Independence were evacuated, and which is on the files, be sent to gen. Washington, and that he be directed to appoint a court-martial to proceed to trial.

SIX O'CLOCK, P. M.

A letter, of the 18th, from gen. Washington, accompanied with the proceedings of the court of enquiry, respecting the losses of the forts in the Highlands, was read:

*Ordered*, That the proceedings of the court of enquiry be referred to the board of war.

Adjourned to ten o'clock on Monday.

MONDAY, June 22, 1778.

Mr. Samuel Holten, a delegate from Massachusetts-Bay, attended, and took his seat in Congress.

A letter, of the 15th, from col. Forman, directed to N. Scudder, esq. a delegate from New-Jersey, was laid before Congress and read:

*Ordered*, That it be referred to the boards of war and of treasury.

A letter, of the 6th, and one of the 9th, from major-gen. Heath, were read:

*Ordered*, That the letter of the 9th be referred to the board of war, and that they confer with the committee lately sent to camp, and give the necessary orders.

A letter, of the 13th, from major-gen. Sullivan, was read, enclosing one of the 5th, from gov. Trumbull, and one of the 13th, from gov. Green:

*Ordered*, That the same be referred to a committee of five: the members chosen, Mr. S. Adams, Mr. Wentworth, Mr. Ellery, Mr. Sherman, and Mr. Hancock.

A letter, of the 25th of May, from gov. Caswell, was read.

A letter, of the 10th, from W. Aylett, esq. deputy commissary-general of purchases, was read, with sundry papers enclosed:

*Ordered*, That the same be referred to the board of war.

A letter, of the 19th, from gov. Johnson was read, with sundry papers enclosed, relative to instructions given to major Lee :

*Ordered*, To lie on the table till the afternoon.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That 100,000 dollars be advanced to the delegates of New-York, for the use of that state, which is to be accountable :

That 500 dollars be advanced to Mr. E. Langworthy, one of the delegates of Georgia, to enable him to pay a bill drawn by James Whitefield, esq. speaker of the house of assembly. expressed to be for paying an express from Georgia ; the said state to be accountable :

That 2000 dollars be paid to Robert Cochran, in discharge of three bills of exchange drawn by John Ashe, treasurer of the state of North-Carolina, two of which are dated the 18th of March, 1777, in favor of Peter Mallet, 375 dollars each ; the other dated May 20th, 1777, in favor of Peter and Daniel Mallet, for 1250 dollars ; all expressed to be for the purpose of provisions ; the said state of North-Carolina to be accountable.

Congress proceeded to consider the objections of the states to the articles of confederation ; whereupon, the delegates of Maryland read to Congress instructions they had just received from their constituents ; and moved,

That the objections from the state of Maryland to the confederation be immediately taken up and considered by Congress, that the delegates from Maryland may transmit to that state, with all possible despatch, the determination of Congress on those objections : question put, resolved in the affirmative.

A motion was then made in behalf of Maryland,

In article 4, strike out the word "paupers," and after the words "or either of them," insert "that one state shall not be burthened with the maintenance of the poor who may remove into it from any of the others in the union : question put, passed in the negative, one state only answering ay.

Another amendment was moved in behalf of Maryland.

Article 8, after the words "granted to or surveyed for," insert "or which shall hereafter be granted to, or surveyed for any person : " question put, passed in the negative, 4 ayes, 8 noes.

A third amendment was moved in behalf of Maryland,

Article 9. after the words "shall be deprived of territory for the benefit of the United States," insert, "the United States in Congress assembled, shall have the power to appoint commissioners, who shall be fully authorized and empowered to ascertain and restrict the boundaries of such of the confederated states which claim to extend to the river Mississippi, or South Sea : " after debate,

*Resolved*, That the consideration thereof be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

## TUESDAY, June 23, 1778.

Mr. Titus Hosmer, a delegate from Connecticut, attended and took his seat in Congress.

A letter, of the 16th, from B. Elliot, directed to Mr. Roberdeau, was laid before Congress, and read :

*Ordered*, That it be referred to the board of war.

A letter, of the 20th, from general Washington, and one of the 17th, from gen. Gates, with papers enclosed, were read :

*Ordered*, That the letter from gen. Gates be referred to the board of war.

The commissioners of claims at the board of treasury, report,

That there is due, to Francis Lewis, esq. for his expenses to, in, and from North-Carolina, when sent to purchase goods for the army, 925 60-90 dollars :

To Robert Patton, for his pay as messenger to Congress, and for extra

services, &c. from January 21st to June 15th, 1778, both days inclusive, 293 dollars :

To Mrs. E. Swoope, for lodging and boarding baron Steuben, his two aids, and two servants, 13 days, 104 dollars :

*Ordered*, That the said accounts be paid.

A letter of the 22d, from the board of war, was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That the board of war estimate the expense of the fort lately built by Mr. Roberdeau, in Bedford county, in Pennsylvania, and report the same to Congress, with their opinion by whom the same ought to be defrayed.

*Resolved*, That gen Gates be, and he is hereby authorized to dismiss all the supernumerary staff-officers in the district under his command.

*Resolved*, That so much of gen. Gates's letter of the 17th, and the papers enclosed, as relates to the supernumerary officers of the staff, be referred to the committee of arrangement ; and that they be directed to report a plan for preventing the extraordinary expense arising from the appointment of such officers.

*Resolved*, That the board of war be directed to collect the standards and colours taken from the enemy, by the army of the United States, since the commencement of the war.

The board of war report, " that the two independent companies raised in the town of Westmoreland, lately commanded by the captains Durkee and Ransom, are reduced by various causes to about '86 non-commissioned officers and privates ; and that there is no chance of their being completed to the establishment ; that the said companies are now detached from the main army for the defence of the frontiers : Whereupon,

*Resolved*, That the two independent companies, lately commanded by the captains Durkee and Ransom, which were raised in the town of Westmoreland, be united and form one company :

That lieut. Simon Spaulding be appointed captain, and lieuts. Timothy Pierce and Phineas Pierce, lieutenants of the said company ; the said lieutenants to rank, Timothy Pierce from the 16th of January last, and Phineas Pierce from the 1st of April last, the times they were respectively appointed to act as lieutenants in the said companies."

A motion was made, " that the committee lately at camp be directed to prepare an amendment to the resolution for apportioning the number of battalions to the several states, and to report on the propriety of further reducing them, and also the sixteen battalions, so called :"

On motion made, and the question put, that the consideration thereof be postponed ; the yeas and nays being required by Mr. Duer,

<i>New-Hampshire</i> , Mr. Bartlett,	ay	ay	<i>New-Jersey</i> , Mr. Witherspoon,	ay	
<i>Massa'tts-Bay</i> , Mr. Hancock,	ay		Elmer,	ay	ay
S. Adams,	ay		Scudder,	ay	
Gerry,	ay	ay	Mr. Roberdeau,	ay	ay
Dana,	no		James Smith,	ay	ay
Lovell,	no		Clingan,	ay	
Holten,	ay		Mr. M'Kean,	ay	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay		Mr. Plater,	ay	ay
Marchant,	ay	ay	Carroll,	ay	
Collins,	ay		Mr. R. H. Lee,	ay	ay
<i>Connecticut</i> , Mr. Sherman,	ay		Banister,	ay	
Wolcott,	ay	ay	T. Adams,	ay	ay
Hosmer,	ay		Mr. Laurens,	no	
<i>New-York</i> , Mr. Lewis,	no		Drayton,	ay	no
Duer,	no	no	Matthews,	no	
G. Morris,	no		Hutson,	no	
			Heyward,	ay	
			Mr. Langworthy,	no	no
			<i>Georgia</i> ,		

So it was resolved in the affirmative.

A report from the board of war was read : Whereupon,

*Resolved*, That each non-commissioned officer and soldier who hath enlisted or shall enlist into the company of foot ordered to be raised in the town of Westmoreland, on the east branch of the Susquehanna, by the resolution of the 16th of March last, shall receive the sums for finding his own arms, accoutrements, and blanket, as were allowed by a resolve of the 16th instant to the non-commissioned officers and soldiers of the two regiments raising in Virginia and Pennsylvania, to serve for one year ; the said sums to be paid them immediately upon their passing muster before the colonel, or in his absence, the next commanding officer of the militia in the said town, and producing the necessary articles of equipment mentioned in the said resolve of the 16th instant.

That the sum of 1440 dollars be granted to the board of war, to be issued to col. Dennison, of Westmoreland aforesaid, to enable him to pay the allowances above mentioned ; he to be accountable for the same.

Congress proceeded to consider the amendment of the articles of confederation moved in behalf of Maryland :

On the question to agree, the yeas and nays being required by Mr. Marchant,

<i>New-Hampshire</i> , Mr. Bartlett,	no	} no	<i>New-Jersey</i> ,	Mr. Witherspoon,	ay
<i>Massachusetts-Bay</i> , Mr. Hancock,	no			Elmer,	ay
	S. Adams,	no		Scudder,	ay
	Gerry,	no	<i>Pennsylvania</i> ,	Mr. Roberdeau,	ay
	Dana,	no		James Smith,	ay
	Lovell,	no		Clingan,	no
	Holten,	no	<i>Delaware</i> ,	Mr. M'Kean,	ay
<i>Rhode-Island</i> , Mr. Ellery,	ay	} ay	<i>Maryland</i> ,	Mr. Plater,	ay
	Marchant,			Carroll,	ay
	Collins,		<i>Virginia</i> ,	Mr. R. H. Lee,	no
<i>Connecticut</i> , Mr. Sherman,	no	} no		Banister,	no
	Huntington,			T. Adams,	no
	Wolcott,		<i>S.-Carolina</i> ,	Mr. Laurens,	no
	Hosmer,	no		Drayton,	no
<i>New-York</i> , Mr. Lewis,	ay	} div.		Matthews,	no
	G. Morris,			Hutson,	no
				Heyward,	no
			<i>Georgia</i> ,	Mr. Langworthy,	no

So it passed in the negative.

The delegates from New-Hampshire being called on, informed Congress,

That the state of New-Hampshire have, in their general assembly, agreed to the articles of confederation as they now stand, and have empowered their delegates to ratify the same in behalf of their state.

The delegates of Massachusetts-Bay being called on, read sundry objections transmitted to them by their constituents to the articles of confederation, and thereupon moved in behalf of their state,

1st. That the 8th article be re-considered, so far as relates to the criterion fixed on for settling the proportion of taxes to be paid by each state, that an amendment may be made, so that the rule of apportionment may be varied, from time to time, by Congress, until experience shall have shewed what rule of apportionment will be most equal and consequently most just : question put, passed in the negative, 2 yeas, 8 noes.

2d. That the 5th section of the 9th article be re-considered so far as relates to the rule of apportioning the number of forces to be raised by each state on the requisition of Congress : question put, passed in the negative, 3 yeas, 7 noes.

3d. That the 6th section of the 9th article be re-considered so far as it makes the assent of nine states necessary to exercise the powers with which Congress are thereby invested : question put, passed in the negative.

The delegates from Rhode-Island, being called on, produced instructions from their constituents, and thereupon moved the following amendments:

1st. In the 5th article, after the word "two," insert "members, unless by sickness, death or any other unavoidable accident, but one of the members of a state can attend Congress, in which case such state may be represented in Congress by one member for the space of                    months:" question put, passed in the negative, 1 aye, 9 noes.

2d. In the 8th article, after the word "appoint," add "such estimate to be taken and made once in every five years:" question put, passed in the negative, 4 ayes, 6 noes.

3d. In the 9th article, at the end of the second paragraph, after the words "for the benefit of the United States," add "provided nevertheless, that all lands within these states, the property of which, before the present war, was vested in the crown of Great-Britain, or out of which revenues from quit-rents arise, payable to the said crown, shall be deemed, taken and considered as the property of these United States, and be disposed of and appropriated by Congress for the benefit of the whole confederacy, reserving, however, to the states, within whose limits such crown lands may be, the entire and complete jurisdictions thereof:" question put, passed in the negative, 1 aye, 9 noes.

The delegates from Connecticut being called on, produced instructions, and thereupon moved the following amendments:

1st. In the 8th article, after the words "in proportion to," strike out what follows to the end of the sentence, and in lieu thereof insert "the number of inhabitants in each state:" question put, passed in the negative, 3 ayes, 9 noes.

2d. In the 9th article, at the end of the 5th paragraph, add the words following, "provided that no land army shall be kept up by the United States in time of peace, nor any officers or pensioners kept in pay by them, who are not in actual service, except such as are or may be rendered unable to support themselves by wounds received in battle, in the service of the said states, agreeably to the provisions already made by a resolution of Congress:" question put, passed in the negative, 1 aye, 11 noes.

The delegates of New-York being called on, produced, under the great seal of their state, an exemplification of an act of the legislature thereof, ratifying the articles of confederation as passed by Congress, with a proviso, that the same shall not be binding on the state until all the other states in the union ratify the same.

The delegates from New-Jersey being called on, laid before Congress a representation of the legislative council and general assembly of their state, respecting the articles of confederation.

Adjourned to ten o'clock to-morrow.

### WEDNESDAY, June 24, 1778.

A letter, of January 24th, from col. William Lee, to major-gen. Heath, was read, requesting leave to resign:

*Resolved*, That his resignation be accepted.

A letter, of March 17th, from major Swasey, was read, requesting leave to resign his commission:

*Resolved*, That his resignation be accepted.

A letter from the board of war, was read, informing, that captain Smith having declined the appointment of secretary to the board of war, the business of the board suffers daily for want of proper assistance, and therefore calling the attention of Congress to the appointment of a secretary:

*Resolved*, That to-morrow be assigned for appointing a secretary to the board of war and ordnance.

*Resolved*, That on Saturday next Congress be adjourned from this place to meet at Philadelphia, on Thursday, the 2d day of July next.



*Resolved*, That a committee of three be appointed to take proper measures for a public celebration of the anniversary of independence, at Philadelphia, on the 4th day of July next, and that they be authorized and directed to invite the president and council and speaker of the assembly of the commonwealth of Pennsylvania, and such other gentlemen and strangers of distinction, as they shall deem proper: the members chosen, *Sc. Dr.*, Mr. Hancock, and Mr. Matthews.

*Resolved*, That Congress will, in a body, attend divine worship on the 5th day of July next, to return thanks for the divine mercy in support of the independence of these states, and that the chaplains be notified to do so and preach sermons suited to the occasion.

A letter, of the 21st, from the council of Pennsylvania, was read, enclosing a paper of intelligence respecting the Indian incursions:

*Ordered*, That the same be referred to the board of war.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 50,000 dollars be advanced to Mr. Joseph Moxley, pay-master to the board of war and ordnance, to be applied by the said master to the purpose of purchasing linens, hose, shoes, &c. for the use of the army; the said pay-master to be accountable.

Adjourned to ten o'clock to-morrow.

#### THURSDAY, June 25, 1778.

A letter, of the 22d, from general Washington, in New-Jersey, near Ryell's ferry, was read.

A letter, of the 11th, from the council of war of the state of Rhode-Island &c. directed to the delegates of that state, was laid before Congress and read:

*Ordered*, That it be referred to the committee of arrangements.

Congress resumed the consideration of a report of the 24th, to the board of treasury; Whereupon,

*Ordered*, That 100,000 dollars of the 300,000, for which a warrant was issued the 12th of February last, in favor of the delegates of Pennsylvania, &c. by them transmitted to the president of that state, for the purchase of linen, &c. be applied to the purpose of paying for the clothing mentioned in a letter of the 5th, from the president of the council of Pennsylvania.

A report from the board of war was read; Whereupon,

*Resolved*, That the independent corps raised by colonel Armand, in consequence of general Washington's permission, be taken into common pay; the pay to commence from the time of the respective enlistments of the non-commissioned officers and privates engaged in the same:

That general Washington be authorized to officer this corps with foreign and other officers of merit as at-present hold commissions and who are not already and cannot be annexed to other corps on the proposed re-arrangement of the army:

That if any of the states shall think proper to allow the non-commissioned officers and privates, who have or shall enlist in colonel Armand's corps, the bounty allowed by them respectively, in addition to the bounty of the state who shall allow the advertisement:

That the sum of 5000 dollars be advanced to colonel Armand to defray recruiting charges of the said corps; the said colonel to be accountable.

The committee to whom was referred the petition of major-general Sullivan, &c.

*Resolved*, That it be, and it

state of Massachusetts-Bay, over and above the quota assigned to them for the defence of Rhode-Island by the convention of Springfield, to complete and send forward with all possible despatch, the number of men assigned by the said convention to the state of Connecticut, in lieu of the additional number of militia sedt to Hudson's river by Connecticut, in behalf of Massachusetts-Bay.

*Resolved*, That general Washington be, and he is hereby directed to order the continental battalion raised by the state of Rhode-Island and Providence Plantations, now in the main army, to the said state for the defence thereof, if in his opinion the same may be done without any injury to the general interest of these United States.

*Resolved*, That the board of war be, and they are hereby directed to furnish major-general Sullivan with 2000 stand of arms, including the number already ordered by the said board, to be put into the hands of the state troops and militia under his command, from the arms lately imported into Portsmouth, in the state of New-Hampshire, if any there be, from some convenient magazine; and that they order major-general Sullivan to take particular care that the arms be delivered up by the militia before they leave the service.

*Resolved*, That the navy board in the eastern department be, and they are hereby empowered to cause to be built, equipped and manned, three large gallees for the defence of Providence, Warren, and Taunton rivers, or procure three suitable vessels for that purpose, if, upon advising with the council of war in the state of Rhode-Island and Providence Plantations and general Sullivan, they shall judge the measures to be expedient.

*Ordered*, That the part of the report relative to advancing a sum of money to the state of Rhode-Island, be referred to the board of treasury.

### THREE O'CLOCK, P. M.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That 20,000 dollars be advanced to Joseph Nourse, pay-master to the board of war and ordnance, for the contingent expenses of the said board; for which sum he is to be accountable.

That 2000 dollars be advanced to the delegates of the state of Connecticut, 1000 on the application of Mr. S. Huntington, and 1000 on the application of Mr. O. Wolcott, two of the said delegates; the state to be accountable.

The commissioners of claims report,

That there is due to major James' Armstrong Wilson, a balance in full for the pay of his own and captain Samuel Postlethwaite's company, and of 13 men belonging to different regiments in brigadier Wayne's division, doing duty with major Wilson's company from the 1st of April to the 5th of June instant, when the two companies were discharged, and for expenses and charges in raising the said companies, the sum of 1005 50-90 dollars:

*Ordered*, That the said account be paid.

Congress took into consideration the representation from New-Jersey, on the articles of confederation, which was read, as follows:

To the United States in Congress assembled The representation of the Legislative Council and General Assembly of the State of New-Jersey, sheweth,

"That the articles of confederation and perpetual union, between the states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, proposed by the hon. the Congress of the said states, severally for their consideration, have been by us fully and attentively considered: on which we beg leave to remark as follows:

1st. In the 5th article, where, among other things, the qualifications of the delegates from the several states are described, there is no mention of

any oath, test or declaration, to be taken or made by them previous to admission to seats in Congress. It is indeed, to be presumed, that the several states will be careful that the delegates they send to assist in managing the general interests of the union, take the oaths to the government from which they derive their authority; but as the United States, collectively considered, have interests as well as each particular state, we are of opinion, that no test or obligation, binding upon each delegate while he continues to sit, to consult and pursue the former as well as the latter, and previous to assent to no vote or proceeding which may violate the general confidence, is necessary. The laws and usages of all civilized nations evince the propriety of an oath on such occasions, and the more solemn and important the deposit, the more strong and explicit ought the obligation to be.

2d. By the 6th and 9th articles, the regulation of trade seems to be committed to the several states within their separate jurisdictions, in some degree as may involve many difficulties and embarrassments, and be attended with injustice to some states in the union: we are of opinion, that the sole and exclusive power of regulating the trade of the United States with foreign nations, ought to be clearly vested in the Congress, and that revenue arising from all duties and customs imposed thereon, ought to be appropriated to the building, equipping and manning a navy for the protection of the trade and defence of the coasts, and to such other public and general purposes as to the Congress shall seem proper, and for the common benefit of the states. This principle appears to us to be just, and it may be said that a great security will by this means be derived to the union by the establishment of a common and mutual interest.

3d. It is wisely provided in the 6th article, that no body of troops be kept up by any state in time of peace, except such number as may be judged of the United States in Congress assembled, shall be thought requisite to garrison the forts necessary for the defence of such state: we think it ought also to be provided and clearly expressed, that no troops be kept up by the United States in time of peace, except such number only as shall be allowed by the assent of nine states. A standing army, as a military establishment, and every appendage thereof, in time of peace, is totally abhorrent from the ideas and principles of this state. In the memorable act of Congress, declaring the United Colonies free and independent states, it is emphatically mentioned, as one of the causes of separation from Great-Britain, that the sovereign thereof had kept up among us, in time of peace, standing armies without the consent of the legislatures. We wish the liberties and happiness of the people may by the constitution be carefully and explicitly guarded in this respect.

4th. On the 8th article we observe, that as frequent settlements of the quotas for supplies and aids to be furnished by the several states, in support of the general treasury, will be requisite, so they ought to be made: we cannot be thought improper a least in every five years, and the quantity or value of real property should be assessed more rapidly than in others, and the assessment at another be disproportionate.

5th. The boundaries and limits of the several states should be fixed and made known: this will have salutary effects, by preventing disputes, promoting harmony and confidence: the times would not admit of iteration to the several states, and the rule and mode by which this should be done, at a time more convenient and favorable.

period, not exceeding five years from the final ratification of the confederation, would be satisfactory.

6th. The 9th article provides, that no state shall be deprived of territory for the benefit of the United States; whether we are to understand, that by territory is intended any land, the property of which was heretofore vested in the crown of Great-Britain; or that no mention of such land is made in the confederation, we are constrained to observe, that the present war, as we always apprehended, was undertaken for the general defence and interest of the confederating colonies, now the United States. It was ever the confident expectation of this state, that the benefits derived from a successful contest, were to be general and proportionate; and that the property of the common enemy, falling in consequence of a prosperous issue of the war, would belong to the United States, and be appropriated to their use. We are therefore greatly disappointed in finding no provision made in the confederation for empowering the Congress to dispose of such property, but especially the vacant and im patented lands, commonly called the crown lands, for defraying the expenses of the war, and for such other public and general purposes. The jurisdiction ought in every instance to belong to the respective states within the charter or determined limits of which such lands may be seated; but reason and justice must decide, that the property which existed in the crown of Great-Britain, previous to the present revolution, ought now to belong to the Congress, in trust for the use and benefit of the United States. They have fought and bled for it, in proportion to their respective abilities, and therefore the reward ought not to be predilectionally distributed. Shall such states as are shut out by situation from availing themselves of the least advantage from this quarter, be left to sink under an enormous debt, whilst others are enabled, in a short period, to replace all their expenditures from the hard earnings of the whole confederacy?

7th. The 9th article also provides, that the requisition for the land forces to be furnished by the several states shall be proportioned to the number of *white* inhabitants in each. In the act of independence we find the following declaration: "We hold these truths to be self-evident, that all men are created equal; that they are endued by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness:" of this doctrine it is not a very remote consequence, that all the inhabitants of every society, be the color of their complexion what it may, are bound to promote the interest thereof, according to their respective abilities. They ought therefore to be brought into the account on this occasion. But, admitting necessity or expediency to justify the refusal of liberty in certain circumstances to persons of a particular color, we think it unequal to reckon upon such in this case. Should it be improper, for special local reasons, to admit them in arms for the defence of the nation, yet we conceive the proportion of forces to be embodied ought to be fixed according to the whole number of inhabitants in the state, from whatever class they may be raised. If the whole number of inhabitants in a state, whose inhabitants are all whites, both those who are called into the field, and those who remain to till the ground, and labor in mechanical arts and otherwise, are reckoned in the estimate for striking the proportion of forces to be furnished by that state, ought even a part of the latter description to be left out in another? As it is of indispensable necessity in every war, that a part of the inhabitants be employed for the uses of husbandry and otherwise at home, while others are called into the field, there must be the same propriety that owners of a different color, who are employed for this purpose in one state, while *whites* are employed for the same purpose in another, be reckoned in the account of the inhabitants in the present instance.

8th. In order that the quota of troops to be furnished in each state, on oc-

casion of a war, may be equitably ascertained, we are of opinion that the habitants of the several states ought to be numbered as frequently as the nature of the case will admit, and once at least every five years. The disproportioned increase in the population of different states may render this provision absolutely necessary.

9th. It is provided in the 9th article, that the assent of nine out of the thirteen shall be necessary to determine in sundry cases of importance. If this proportion be proper and just, it ought to be kept unaltered, if the states increase in number, and a declaration thereof be made, in satisfaction of the Union.

That we think it our indispensable duty to solicit the attention of Congress to these considerations and remarks, and to request that the purport and meaning of them be adopted as part of the general confederation; by this means we apprehend the mutual interests of all the states will be better secured and promoted, and that the legislature of this state will then be justified in ratifying the same."

Whereupon, it was moved that the several articles in the confederation referred to in the foregoing representation, be so far re-considered as to admit the purport and meaning of the additions, alterations, and amendments proposed in the said representation: question put, passed in the affirmative, 6 ayes, 6 noes, 1 divided.

The delegates of Pennsylvania being called on, moved the following amendments in behalf of their state:

1st. In the first paragraph of the 5th article, delete the words "for the remainder of the year:" question put, passed in the negative, 8 ayes, 1 divided.

2d. That such part of the 9th article as respects the post office be amended, so as that Congress be obliged to lay the accounts before the legislatures of the several states: question put, passed in the negative, 2 ayes, 9 noes.

3d. In the 5th paragraph of the 9th article, expunge the word "and" question put, passed in the negative, 3 ayes, 7 noes, 1 divided.

4th. In the last section of the 9th article, after the word "delegates" insert "respectively:" question put, passed in the negative, 1 ay, 10 noes.

The delegates from Virginia being called on, informed Congress that they are empowered to ratify, in behalf of their state, the articles of confederation as they now stand.

The delegates from South-Carolina being called on, moved the following amendments in behalf of their state:

1st. In article 4, between the words "free inhabitants," insert "and their free persons" question put, passed in the negative, 2 ayes, 8 noes, 1 divided.

2d. In the next line, after the words "these states," insert "and they shall have the right to take up arms in defence of the confederacy:" question put, passed in the affirmative, 3 ayes, 8 noes.

3d. After the words "the several states," insert "according to the laws of such states respectively, for the government of their own free white inhabitants:" question put, passed in the negative, 2 ayes, 8 noes, 1 divided.

4th. After the words "of which the owner is an inhabitant," insert "except in cases of embargo:" question put, passed in the negative, 2 ayes, 9 noes.

5th. In the first paragraph of the 5th article, strike out "1st of November," and insert "19th day of April:" question put, passed in the negative, 1 ay, 10 noes, 1 divided.

6th. In the second paragraph of the 5th article, substitute "four" in the place of "two," and "two" in the place of "three," and "four" in the place of "six:" question put, passed in the negative, 2 ayes, 9 noes.

7th. In the 3d paragraph, for "committee," read "grand council:" question put, passed in the negative, 1 ay, 9 noes, 1 divided.

8th. In the 1st paragraph of the 6th article, for "prince or state," read "prince or foreign state, except the same be upon the subject of commerce, nor then so as to interfere with any treaty or alliance of the United States made or treaty proposed by Congress:" passed in the negative, 2 ayes, 9 noes.

9th. In the 2d paragraph of the 6th article, strike out "by some nation of Indians," and after the words "to invade such state," insert "or upon requisition to assist a sister state actually invaded or threatened with an invasion:" passed in the negative, 3 ayes, 8 noes.

10th. In the 1st paragraph of the 7th article, strike out "of or under the rank of colonel," and after "shall be appointed," insert "and commissioned:" passed in the negative, 2 ayes, 8 noes, 1 divided.

11th. At the end of the 7th article add, "The troops to be raised shall be deemed the troops of that state by which they are raised. The Congress or grand council of the states may, when they think proper, make requisition to any state for two-thirds of the troops to be raised; which requisition shall be binding upon the said states respectively; but the remaining third shall not be liable to be drawn out of the state in which they are raised, without the consent of the executive authority of the same. When any forces are raised, they shall be under the command of the executive authority of the state in which they are so raised, unless they be joined by troops from any other state, in which the Congress or grand council of the states may appoint a general officer to take the command of the whole: and until the same can be done, the command shall be in the senior officer present, who shall be amenable for his conduct to the executive authority of the state in which the troops are, and shall be liable to be suspended thereby. The expenses of the troops so to be raised, shall be defrayed by the state to which they belong; but when called into service by the United States, they shall be fed and paid at the expense of the United States:" passed in the negative, 2 ayes, 9 noes.

12th. In the first line of the 8th article, strike out "charges of war and all other:" passed in the negative, 2 ayes, 8 noes, 1 divided.

13th. In the same article, strike out "according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint;" and instead of "and improvements thereon shall be estimated," read "and improvements thereon shall by periods of years not exceeding ten, as often as may be required by Congress, be generally estimated by persons to be appointed by the legislatures of the respective states, to value the same upon oath:" passed in the negative, 2 ayes, 9 noes.

14th. In the first paragraph of article the 9th, strike out "appointing courts for the trial of piracies and felonies committed on the high seas," and in lieu thereof, insert "declaring what acts committed on the high seas shall be deemed piracies or felonies:" passed in the negative, 2 ayes, 9 noes.

15th. In the second paragraph of the 9th article, for "be the last resort on appeal," read "decide and determine," and strike out "all that relates to the mode of settling differences between states, and controversies concerning private right of soil:" passed in the negative, 2 ayes, 9 noes.

16th. In the fifth paragraph of the 9th article, after the words "in any term of," strike out "three," and insert "two:" passed in the negative, 3 ayes, 7 noes, 1 divided.

17th. In the sixth paragraph of the 9th article, for "unless nine states," read unless "eleven states:" passed in the negative, 2 ayes, 9 noes.

18th. At the end of the same paragraph, strike out the words "in Congress assembled:" passed in the negative, 1 ay, 10 noes.

19th. In the last paragraph of the 9th article, after the words "and the yeas and nays of the delegates of each state on," for "any" read "every," and strike out the words "when it is desired by any delegate:" passed in the negative, 2 ayes, 9 noes.



20th. In the same sentence, strike out "a state or," and also "at his or their request," and after the words "and the" insert "respective states or the," and after "shall," insert "upon requisition :'' passed in the negative, 1 ay, 10 noes.

21st. Amend the last clause of the 13th article, so as to read "unless such alteration be agreed to by eleven of the United States in Congress assembled, and be afterwards confirmed by the legislatures of eleven of the United States :'' passed in the negative, 3 ayes, 6 noes, 2 divided.

The delegate from Georgia being called on, informed Congress that he has not yet received any instructions or orders from his constituents, respecting the articles of confederation ; but that his state having shewn so much readiness to ratify them, even in an imperfect state, and it being so much for their interest, that the confederation should be ratified, he had no doubt of their agreeing to the articles as they now stand.

Delaware and North-Carolina not having delegates present in Congress, no report was received from them, saving what is contained in gov. Caswell's letter, informing, that the legislature of North-Carolina have agreed to the articles of confederation.

*Ordered*, That a committee of three be appointed to prepare the form of a ratification of the articles of confederation : the members chosen, Mr. R. H. Lee, Mr. G. Morris, and Mr. Dana.

Adjourned to ten o'clock, to-morrow.

#### FRIDAY, June 26, 1778.

A letter, of the 24th, from major-general Arnold, in Philadelphia, with a proclamation enclosed, was read : also, two letters of the 8th, from gov. Henry, of Virginia ; one, of the 25th, from col. G. Morgan, and, one of the 25th, from the board of war, with sundry papers enclosed, respecting Cornelius Sweers, whom they have arrested in consequence of the orders of Congress.

The committee appointed to prepare the form of a ratification of the articles of confederation, brought in a draught, which was agreed to as follows :

TO ALL TO WHOM THESE PRESENTS SHALL COME :

*We, the delegates of the states affixed to our names send greeting.*

Whereas, the delegates of the United States of America in Congress assembled, did, on the 15th day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of America, agree to certain articles of confederation and perpetual union between the states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, in the words following, viz.

(Here insert the articles printed.)

Which articles were by Congress proposed to the legislatures of all the United States, to be considered, and if approved of by them, they were advised to authorize their delegates to ratify the same in the Congress of the United States. And, whereas, it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union ; KNOW YE, that we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained ; and we do further solemnly plight and engage the faith of our respective constituents that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by

the said confederation are submitted to them; and that the articles thereof shall be inviolably observed by the states we respectively represent; and that the union shall be perpetual.

In witness whereof, we have hereunto set our hands, this                      day of                      in the year of our Lord one thousand seven hundred and seventy-eight, and in the                      year of the independence of the United States of America.

*Ordered*, That a copy of the articles of confederation, with the above ratifications, be engrossed on parchment, in order that the same may be signed before Congress adjourn from this place.

A petition from Henry Klein, was read:

*Ordered*, That it be referred to the board of treasury.

FOUR O'CLOCK, P. M.

The commissioners of claims, with the approbation of the auditor-general, report,

That there is due, to John Brown, for his services as clerk of the committee of commerce, from July 21st, 1777, to June 21st, 1778, 825 dollars:

To Jacob Funk, for two boxes with locks, and a large chest for the secretary's office, 32 dollars:

To John Thaxter, for his services as clerk in the secretary's office, from the 6th of May, to the 15th of June, inclusive, 100 dollars, and for contingent expenses for the use of the office, 4 78-90 dollars:

To Martin Brenicise, for attending Congress, from the 1st to the 27th of June, inclusive, 36 dollars, and for ringing the bell, the same time, 9 12-90 dollars:

To John Fisher, for renewing two copperplates for loan-office certificates, and making two letters in the device of the 30 dollar bills, 20 dollars:

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favour of Mr. James Smith, a delegate of the state of Pennsylvania, for 1000 dollars, advanced upon his application; for which the said state is to be accountable:

That a warrant issue in favor of the state of Rhode-Island and Providence Plantations, for 100,000 dollars, on Joseph Clark, commissioner of the continental loan-office in the said state; one other warrant for 50,000 dollars, on the treasurer of the said state; and one other warrant, for 100,000 dollars, on the treasurer of Connecticut; the last mentioned sums being part of a continental tax assessed in pursuance of a resolution of Congress of the 22d of November last, on the said states respectively; the whole amounting to 250,000 dollars; for which the said state of Rhode-Island is to be accountable:

That a warrant issue in favor of John Gibson, esq. auditor-general, for 1,000,000 of dollars, on the treasurer, who is to transmit the same to J. Gibson, at Philadelphia, to answer the drafts of Congress; he to be accountable:

That a warrant issue on the treasurer in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 300,000 dollars, to be by him transmitted to Benjamin Stelle, deputy pay-master in the state of Rhode-Island and Providence Plantations; and that Ebenezer Hancock, esq. deputy pay-master general in the eastern department, who is to be accountable, be furnished with a copy of this order:

That a warrant issue on the treasurer in favor of the hon. Henry Laurens, president of Congress, for 3000 dollars, for the purpose of paying expresses; he to be accountable:

That a warrant issue on the treasurer in favor of Mr. R. Sherman, a delegate of the state of Connecticut, for 1000 dollars, it being advanced upon his application; for which the said state is to be accountable.

The committee to whom were referred the proceedings of the house of assembly of the state of Georgia, relative to an application for one million of dollars on loan, report,

That the continental demands upon the treasury are so great and pressing, that so large a loan as is requested by the state of Georgia, cannot be granted; but as of the loan of one million of dollars, granted to Georgia last year, the sum of 198,400 dollars remains unissued by the treasury, it is recommended that the sum of 198,400 dollars be forthwith issued and committed to Georgia, to complete the loan of one million already granted.

*Resolved*, That Congress agree to the said report.

*Ordered*, That the letter of the 25th, from the board of war, be referred to a committee of three: the members chosen, Mr. J. Smith, Mr. Dana, and Mr. G. Morris.

Adjourned to ten o'clock to-morrow.

### SATURDAY, June 27, 1778.

A memorial from col. M. Swoope, was read:

*Ordered*, That it be referred to the board of treasury.

A report from the board of war was read:

*Ordered*, That it be referred to the committee of arrangement.

The committee to whom was referred the letter of the 25th, from the board of war, relative to Cornelius Sweers, brought in a report; Whereupon

*Ordered*, That Cornelius Sweers be sent to Philadelphia under guard, and that the commanding officer in Philadelphia be directed to order the said Cornelius Sweers to be there kept under guard until he shall be duly exchanged.

The committee to whom was referred the letter from Mr. Holke, brought in a report: the question put to agree to the said report, passed in the affirmative.

The engrossed copy of the articles of confederation, with the amendments agreed to, was laid before Congress, and the same, upon examination, were found incorrect,

*Ordered*, That another copy be made and laid before Congress on or before the 4th of July next, and that the delegates of the respective states, with the secretary, their powers for ratifying the same.

The committee on the treasury brought in a report; Whereupon

*Ordered*, That a warrant issue on the treasurer in favour of Henry Lee for 500 dollars, advanced him; for which he is to be accountable.

Adjourned to Thursday next, to meet at the state-house in Philadelphia.

POWERS OF THE STATES TO THEIR DELEGATES, TO RATIFY THE ARTICLES OF CONFEDERATION.

### " STATE OF NEW-HAMPSHIRE:

*In the House of Representatives, March 4, 1778.*

The house took into consideration the thirteen articles of confederation and perpetual union between the thirteen United States of America, agreed to by the honourable Congress of the said states, and came to the following resolution thereon, viz.

*Resolved*, That we do agree to said articles of confederation, perpetual union, &c. and do, for ourselves and constituents, engage that the same shall be inviolably observed by this state: and the delegates of this state, at the time being, at the Congress aforesaid, are hereby empowered and authorized to ratify the same in behalf of this state.

Sent up for concurrence,

JOHN DUDLEY, Speaker.

In Council, the same day, read and concurred.

E. THOMPSON, Secretary.

MESHECK WEAVER, Clerk.

Copy. Attest,

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**"MASSACHUSETTS-BAY:***Council Chamber, Boston, March 10, 1778.*

**GENTLEMEN:** The general court of the state of Massachusetts-Bay, having attentively considered the articles of confederation and perpetual union between the United States of America, recommended to our attention by the honorable Congress, do approve of them, in general, as well calculated to secure the freedom, sovereignty, and independence of the United States. Perhaps no plan could have been proposed better adapted to the circumstances of all. We, therefore, the council and house of representatives of this state, in general court assembled, do, in the name and behalf of the good people of this state, instruct you, their delegates, to subscribe said articles of confederation and perpetual union as they were recommended by Congress, unless the following alterations, or such as may be proposed by the other states, can be received and adopted without endangering the union proposed.

In the name and behalf of the general assembly,

**JEREMIAH POWELL, President."**

*To the delegates of the state of Massachusetts-Bay, in Congress.*

**"RHODE-ISLAND AND PROVIDENCE PLANTATIONS:**

By his excellency Nicholas Cooke, esq. governor, captain-general, and commander in chief, of and over the state of Rhode-Island and Providence Plantations.

Be it known, that Henry Ward, esq. who hath under his hand certified that the annexed copy, purporting an act of the general assembly of the state aforesaid, empowering the delegates of the said state in Congress to accede to and sign the articles of confederation and perpetual union between the thirteen United States, is a true copy, is secretary of the said state, duly elected and engaged according to law. Wherefore, unto his certificate, of that matter, full faith and absolute credit is, and ought to be universally rendered.

(L. S.) Given under my hand and seal of the said state, at Providence, this 18th day of February, in the year of our Lord one thousand seven hundred and seventy-eight.

**NICHOLAS COOKE.**

By his excellency's command,

**HENRY WARD, Secretary.**

At the general assembly of the governor and company of the state of Rhode-Island and Providence Plantations, begun and holden by adjournment at East-Greenwich, within and for the state aforesaid, on the 2d Monday in February, in the year of our Lord one thousand seven hundred and seventy-eight: This assembly having taken into consideration the articles of confederation and perpetual union between the states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, transmitted by Congress to this state, and having had them repeatedly read, and having maturely weighed and most seriously deliberated upon them as their importance to this and the other states, and to posterity, deserves; and considering also the pressing necessity of completing the union as a measure essential to the preservation of the independence and safety of the said states, do vote and resolve, and it is voted and resolved, that the hon. Stephen Hopkins, esq. William Ellery, esq. and Henry Marchant, esq. the delegates to represent this state in Congress, or any one of them be, and they are hereby, fully authorized and empowered, on the part and behalf of this state, to accede to and sign the said articles of confederation and perpetual union, in such solemn form and manner as Congress shall think best adapted to a transaction so important to the present and future generations; provided, that the same be acceded to by eight of the other states: and in case any alterations in, or additions

to, the said articles of confederation and perpetual union, shall be made by nine of the said states in Congress assembled, that the said delegates or any one of them be, and they are hereby authorized and empowered, in like manner, to accede to and sign the said articles of confederation and perpetual union, with the alterations and additions that shall be so made. It is further voted and resolved, that this assembly will and do hereby, in behalf of the said state of Rhode-Island and Providence Plantations, in the most solemn manner, pledge the faith of the said state to hold and consider the said delegates or any one of them, in so acceding to and signing the said articles of confederation and perpetual union, as valid and binding upon the said state in all future time. And it is further voted and resolved, that a fair copy of this act be made and authenticated under the public seal of the state, with the signature of his excellency the governor, and be transmitted to the delegates; and that the same shall be sufficient warrant and authority to the said delegates or any one of them for the purposes aforesaid.

A true copy duly examined,

Witness,

HENRY WARD, Secretary.

“CONNECTICUT:

At a General Assembly of the governor and company of the state of Connecticut, holden at Hartford, by adjournment, on the 12th day of February, 1778.

The articles of confederation and perpetual union, proposed by Congress to be entered into by the thirteen United States of America, being laid before this assembly by his excellency the governor, were read and were considered; Whereupon,

*Resolved*, That the delegates of this state, who shall be present in Congress, be, and they are hereby fully authorized and empowered, on behalf of this state, to agree to and ratify the said articles of confederation and amendments, if any be, as by them, in conjunction with the delegates of the other states in Congress, shall be thought proper.

A true copy of record,

Examined by

GEORGE WYLLYS, Secretary.

“NEW-YORK:

The people of the state of New-York, one of the United States of America, by the people free and independent, to their brethren of the other of the said United States, in Congress assembled, and to all others who shall see these our letters patent, send greeting.

Know ye, That among the acts of our senate and assembly of the said state, we have inspected a certain act of the said senate and assembly to the tenor whereof is as follows, to wit: “An act of accession to and ratification of certain proposed articles of confederation and perpetual union between the United States of America, and to authorize the delegates of the state of New-York to ratify the same on the part and behalf of the said state in the Congress of the said United States. Whereas, the freedom, safety, and independence of the said states, which, with a magnanimity, constancy, and love of liberty, hitherto unparalleled, they have defended and maintained against their cruel and unrelenting enemies, the parliament of the realm of Great Britain, in a great measure secured by the intimate and equal confederation of the said states, and the honor of the Congress of the said United States, in the consideration of the legislative powers, they shall approve of the same.”

(Here,

And whereas the senate and assembly of the said state, in their legislature convened, have so



federation into their respective most deliberate and mature consideration, and by their several and respective resolutions, deliberately made and entered into for the purpose, have fully and entirely approved of the same. In order, therefore, that such approval may be published and made known to the whole world, with all the solemnities of law, and that all the subjects of this state, and others inhabiting and residing therein, from time to time, and at all times thereafter, as long as the said confederation shall subsist and endure, may be bound by and held to the due observance of the said articles of confederation, as a law of this state, if the same shall be duly ratified by all the said United States, in Congress assembled, be it enacted and declared by the people of the state of New-York, represented in senate and assembly, and it is hereby enacted by the authority of the same, that the said several above recited articles of confederation, and, all and singular, the clauses, matters and things in the same contained, be, and the same are hereby, fully accepted, received and approved of, for and in behalf of the people of this state. And to the end that the same may, with all due form and solemnity, be ratified and confirmed by this state in Congress, be it further enacted by the authority aforesaid, that the delegates of this state in the said Congress of the United States of America, or any two of the said delegates, shall be, and hereby are, fully authorized, empowered, and required, wholly, entirely, and absolutely, for and in behalf of the people of this state, and in such manner, and under such formalities, as shall be determined in Congress, to ratify and confirm all and every of the said above recited articles of confederation, and, all and singular, the clauses, matters and things in the same contained; and that an exemplification of this act, tested by his excellency the governor, or the lieutenant-governor, or president of the senate of the state for the time being, administering the government, and authenticated with the great seal of this state, shall be full and conclusive evidence of this act. Provided, always, that nothing in this act, or the said above recited articles of confederation, contained, nor any act, matter or thing to be done and transacted by the delegates of this state in Congress, in and concerning the premises, or any part thereof, shall bind, or oblige, or be deemed, construed or esteemed to bind or oblige the government, legislature, people, subjects, inhabitants, or residents of this state, until the said above recited articles shall have been duly ratified and confirmed by or in behalf of all the said United States, in Congress assembled; any thing herein, or in the said above recited articles of confederation contained to the contrary thereof in any wise notwithstanding." At the bottom of which act we find the following certificates, to wit: "In senate, Thursday, January 29, 1778. This bill having been read the third time, resolved, that the bill do pass. By order of the senate, Pierre Van Cortlandt, president. In assembly, Tuesday, February 3, 1778. This bill having been read three times, resolved, that the bill do pass. By order of the assembly, Walter Livingston, speaker." And on the back of said bill, we find the following endorsement in writing, to wit: "In the council for revising all bills about to be passed into laws by the legislature of the state of New-York, on Friday, 6th day of February, 1778. Resolved, that it does not appear improper to this council, that the bill, entitled "An act of accession to, and approbation of, certain proposed articles of confederation and perpetual union between the United States of America, and to authorize the delegates of the state of New-York to ratify the same on the part and behalf of this state, in the Congress of the United States, should become a law of this state. George Clinton." In testimony whereof, we, the said people of the state of New-York, have caused the said act of our said senate and assembly to be exemplified by these presents, and our great seal of our said state to be hereunto appended. Witness our trusty and well beloved George Clinton, esq. our governor of our said state, general and commander



in chief of all the militia, and admiral of our navy of the same, the 16th day of February, in the second year of our independence and sovereignty, and in the year of our Lord one thousand seven hundred and seventy-eight.

GEORGE CLINTON.

By his excellency's command,

RICHARD HATFIELD, *Secretary.*"

"PENNSYLVANIA :

The representatives of the freemen of the commonwealth of Pennsylvania, in general assembly met, to the hon Benjamin Franklin, Dr. of laws, Robert Morris, esq. Daniel Roberdeau, esq. Jonathan B. Smith, esq. James Smith, esq. of York-town, William Clingan, esq. Joseph Reed, esq. delegates for the said commonwealth in the Congress of the United States of America, send greeting :

Know ye, that we the said representatives having taken into our most serious and weighty consideration and deliberation, the articles of confederation between the states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, lately transmitted to us by the hon. Henry Laurens, esq. president of the said Congress, do by this present instrument, signed by our speaker, and sealed with the seal of the laws of this commonwealth, accede to, ratify, confirm and agree to the said articles ; which said articles are as follows, to wit :

*(Here the articles are recited verbatim.)*

And we the said representatives do hereby authorize, empower, require, and enjoin you, the said Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan B. Smith, James Smith, William Clingan, and Joseph Reed, or any two of you, in the name of the said commonwealth of Pennsylvania, to accede to, ratify, confirm, and agree to the said articles of confederation. In testimony whereof, we have caused the seal of the laws of Pennsylvania to be hereunto affixed, in general assembly, at Lancaster, the 5th day of March, in the year of our Lord one thousand seven hundred and seventy-eight.

(Seal appended.)

JOHN BAYARD, *Speaker.*"

"VIRGINIA.

*In general assembly, December 15, 1778.*

*Resolved, nemine contradicente*, That a speedy ratification of the articles of confederation between the United States of America, will confound the devices of their foreign, and frustrate the machinations of their domestic enemies ; encourage their firm friends, and fix the wavering ; contribute much to the support of their public credit and the restoration of the value of their paper money ; produce unanimity in their councils at home, and add weight to their negotiations abroad ; and completing the independence of their country, establish the best foundation of its prosperity.

*Resolved, nemine contradicente*, That the articles of confederation and perpetual union, proposed by Congress the 7th of November last, between the states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, and referred for approbation to the consideration of the several legislatures of the said states, be approved and ratified on the part of this commonwealth, and that our delegates in Congress be accordingly authorized and instructed to ratify the same, in the name and on the behalf of this commonwealth, and that they attend, for that purpose, on or before the tenth day of March next.

ARCHIBALD CARY, *Speaker of the Senate.*

G. WYTHE, *Speaker of the House of Delegates."*

## "NORTH-CAROLINA:

State of North-Carolina. In Senate, 25th of April, 1778. To his excellency Richard Caswell, esquire, Captain-General, Governor, and Commander in Chief, &c. &c.

SIR: The two houses of the general assembly have taken into consideration the confederacy proposed to the United States by the Continental Congress, and have unanimously acceded thereto, and request your excellency will be pleased to inform the president of the Continental Congress thereof by the earliest opportunity.

WHITMILL HILL, S. S.  
JOHN WILLIAMS, S. C.

By order, J. SITGREAVES, C. S."

## "SOUTH-CAROLINA:

*In the General Assembly, the 4th day of February, 1778.*

*Resolved, nemine contradicente,* That the delegates of this state in the Continental Congress, or any three of them, be, and they are hereby authorized, on the part of this state, to agree to and ratify articles of confederation between the United States of America.

*Ordered,* That the foregoing resolution be sent to the hon. the legislative council for their concurrence, and to his excellency the president for his assent.

By order of the house,  
THOMAS BEE, *Speaker.*

*In the Legislative Council, the 5th day of February, 1778.*

Read the foregoing resolution of the general assembly.

*Resolved,* That this house do concur with the general assembly in the said resolution.

*Ordered,* That it be sent to his excellency the president for his assent.

Assented to, February 5th, 1778. J. RUTLEDGE.

By order of the house,  
HUGH RUTLEDGE, *Speaker.*"

## "GEORGIA:

*House of Assembly, Thursday, February 26, 1778.*

The house resolved itself into a committee of the whole house, to take into consideration the articles of confederation and perpetual union, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Whitefield, from the committee of the whole, reported, they had taken the said articles into consideration and gone through the same, and made several amendments thereto, which were read and agreed to.

Extract from the minutes,

GEORGE CUTHBERT, *Clerk.*

Report of the amendments to the articles of confederation and perpetual union:

4th article, 4th page, 4th line, add the words "white inhabitants:" 6th line, between the words "vagabonds and" add "all persons who refuse to bear arms in defence of the state to which they belong, and all persons who have been or shall be attainted and adjudged guilty of high treason in any of the United States."

9th article, 20th page, 20th line, between the words "emitted to" add "and the expenditure of the same:"

11th article, 25th page, between the words "Canada acceding" add "and the colonies of East and West Florida."

A true copy from the original, taken the 24th of May, and examined by

GEORGE CUTHBERT, C. H. A.

*House of Assembly, Thursday, February 26, 1778.*

*Resolved*, That the delegates from this state be authorized and empowered to lay before the general Congress of the United States, the several alterations proposed and agreed upon by this house this day in the articles of confederation, and that they do use their exertions to have such alterations agreed to and confirmed in Congress.

*Resolved*, That in case all or none of such alterations shall be agreed to and confirmed in Congress, that then and notwithstanding they be recommended and required, in behalf of this state, to sign, ratify and confirm the several articles of the confederation recommended to the respective legislatures of the United States by Congress, or any other plan of a general confederation which shall be agreed upon by nine of the United States.

Extract from the minutes,

GEORGE CUTHBERT.

### PHILADELPHIA:

According to adjournment, the president and a number of the members met at the state-house on Thursday the 2d of July, and adjourned to the next day, to

**TUESDAY, July 7, 1778.**

Ten states attending.

Mr. E. Boudinot, a delegate from New-Jersey, attended, and delivered

A letter, of the 21st, one of the 28th, and one of the 29th of June, and one of July 1st, from gen. Washington, were read.

A letter, of June 19th, from gen. Heath, was read, enclosing several letters that passed between him and major-general Philips, concerning the death of lieut. Richard Brown, of the troops of the convention, who was shot by a centinel "for not stopping when repeatedly ordered to do so as he was riding out of the lines with two women:" Whereas

*Resolved*, That Congress approve of major-general Heath's conduct respecting major-general Philips, consequent upon the death of lieut. Richard Brown, of the troops of the convention.

*Ordered*, That an extract of major-general Heath's letter, with the letters that passed between him and major-general Philips, together with the account held on the body of lieut. R. Brown, be published.

*Ordered*, That so much of gen. Heath's letter as relates to the account of provisions issued to the troops of the convention of New-Jersey, from November 6th, 1777, to March 7th, 1778, and those provisions thereof, be referred to the board of treasury.

Congress took into consideration the letter of June 29th, and the letter of July 1st, from gen. Washington, giving an account of his movements from the Forge to Monmouth court-house, in the state of New-Jersey, a pursuit of the enemy, and of a victory obtained over the British army commanded by gen. sir H. Clinton, in a battle near Monmouth court-house, on the 26th of June: Whereupon,

*Resolved*, *unanimously*, That Congress do honor gen. Washington for the action at the Forge, in pursuit of the enemy, and in gaining the important victory over the British army under the command of gen. sir H. Clinton, on the 26th of June, to New-York.

*Resolved*, That Congress do honor the gallant conduct of the troops who fought the battle of Monmouth, and who distinguished themselves by the courage and valor with which they fought.

*Ordered*, That Mr. Boudinot do leave of absence.

Adjourned to nine o'clock.

## WEDNESDAY, July 8, 1778.

A letter, of June 30th, from major-general Putnam, was read :

*Ordered*, That it be referred to the board of war.

A letter, of April 4th, and one of the 26th of the same month, from major-general R. Howe, at Savannah, and one of April 4th, from gov. Houston, of Georgia, were read :

*Ordered*, That they be referred to the board of treasury.

A letter, of June 29th, from gov. Trumbull, enclosing a letter to him from Duncan Stewart, of London ; also one of May 27th, from Mr. President Weare, of New-Hampshire, were read.

A letter, of June 25th, from gov. Livingston, was read, enclosing a copy of Ephraim Marsh's affidavit :

*Ordered*, That the same be referred to a committee of three : the members chosen, Mr. Duer, Mr. R. H. Lee, and Mr. Boudinot.

A letter, of the 3d, from gov. Livingston, was read, representing the distressed condition of the New-Jersey brigade for want of clothing :

*Ordered*, That it be referred to the board of war, and that the said board be directed to take speedy and effectual measures for supplying the New-Jersey brigade with necessary clothing.

A letter, of June 16th, from Mr. John Carter, continental agent in Virginia, was read :

*Ordered*, That it be referred to the committee of commerce.

A letter, of the 23d, and one of the 28th of June, and one of July 2d, from gen. Gates, were read, enclosing a number of papers :

*Ordered*, That they be referred to the board of war.

The board of war transmitted to Congress a letter, of June 27th, from major-general Schuyler, at Albany, with a copy of a letter from Mr. Deane, Indian interpreter, and a letter of July 3d, from col. Butler, of Westmoreland, which were read : Whereupon,

*Resolved*, That the board of war be directed to send for and confer with the Seneca chiefs who have lately quitted the city of Philadelphia, to enquire in what character and with what views they have come among us, whether as representatives or ambassadors of the Seneca nation ; and whether the Seneca nation, as such, have committed hostilities against us, and report specially and immediately to Congress.

A letter, of June 30th, from major-general Heath, was read, enclosing a copy of a letter of May 18th, from B. Franklin and John Adams, esqrs. commissioners of the United States at Paris :

*Ordered*, That the letter from B. Franklin and John Adams, esqrs. be published.

*Ordered*, That the clothier-general, or in his absence, his deputy in Philadelphia, be directed immediately to make out and lay before Congress an exact and particular invoice of all and every kind of goods, wares, and merchandise which have been purchased or taken up by the clothier-general or any of his deputies within this city, together with a list of the names of the persons of whom they have been purchased, and from whom taken, and the prices at which they were purchased.

*Resolved*, That the governors of Maryland and Virginia be severally requested to take proper measures for giving the earliest intelligence to any French fleet or ships of war that may appear off the Bay of Chesapeake, of a fleet of British ships of war being ready to sail for North-America, as by the information transmitted from the American commissioners at Paris ; and that they be respectively desired to accommodate any such French fleet or ships of war with good pilots for bringing them safely into the Bay, should they incline to come there :

That a similar request and proper advice be transmitted to each of the governors of North-Carolina, South-Carolina, and Georgia.

An application being made for an advance of 200,000 dollars to the state of New-Jersey,

*Ordered*, That it be referred to the board of treasury.

Adjourned to nine o'clock to-morrow.

THURSDAY, *July 9, 1778.*

Mr. Andrew Adams, a delegate from Connecticut, attended, and took his seat in Congress.

A letter, of the 7th, from gen. Washington, at Brunswick, was read: Whereupon,

*Ordered*, That the committee appointed to arrange the army, repair, without delay, to gen. Washington's head-quarters, and proceed on the business committed to them.

A letter from major Romand de Lisle, was read:

*Ordered*, That it be referred to the board of war.

A memorial from officers belonging to different regiments of the state of Pennsylvania, was read:

*Ordered*, That it be referred to the committee of arrangement.

A memorial from the lieutenants and masters in the navy and captains of marines, was read:

*Ordered*, That it be referred to the marine committee.

A memorial from the chevalier Faillie, was read:

*Ordered*, That it be referred to the board of war.

*Ordered*, That Mr. Hancock, and Mr. Ellery have leave of absence.

*Resolved*, That in the ratification of the articles of confederation, to be signed by the delegates, the following words be omitted, to wit: "which articles were by Congress proposed to the legislatures of all the United States, to be considered, and, if approved of by them, they are advised to authorize their delegates to ratify the same in the Congress of the United States."

The ratification of the articles of confederation, engrossed on a roll of parchment, being laid before Congress, was examined, and the blanks in the third line from the bottom being filled up at the table with the words "ninth," and "July," and the blank in the last line with the word "third," the same was signed, on the part and in behalf of their respective states, by the delegates of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, Pennsylvania, Virginia, and South-Carolina, agreeably to the powers vested in them.

The delegates of the states of New-Jersey, Delaware, and Maryland, informed Congress that they have not yet received powers to ratify and sign.

North-Carolina, whose legislature has ratified the articles of confederation, and the state of Georgia, were not at this time represented in Congress.

*Resolved*, That a committee of three be appointed to prepare a circular letter to the states in this union, that have not hitherto authorized their delegates in Congress to ratify the confederation, informing such states how many, and what states have already ratified the same, and desiring that such states will, with all convenient despatch, authorize their delegates to ratify the confederation in the Congress of the United States: the members chosen, Mr. Lee, Mr. Dana, and Mr. G. Morris.

Several members of Congress having intimated that they have received letters from some of the British commissioners;

*Ordered*, That all letters received by members of Congress from any of the British commissioners or their agents, or from any subject of the king of Great-Britain, of a public nature, be laid before Congress.

Mr. R. Morris laid before Congress a letter directed to him, dated Philadelphia, June 16, 1778, and signed George Johnstone, which was read.

*Ordered*, That the committee of commerce consult with the board of war, and jointly agree with the governor of Virginia for such part of the Roderique's cargo, purchased by the state of Virginia, as they shall think wanting for continental use.

A letter, of this day, from general Arnold, was read.

The board of war, to whom was referred an invoice of sundry merchandise, consigned to Mr. Holker, and lately arrived at York-town, brought in a report; Whereupon,

*Resolved*, That the committee of commerce be directed and authorized to contract with Mr. Holker for all the hats, blankets and shoes, specified in the said invoice, on such terms as they shall deem expedient.

*Resolved*, That Mr. Boudinot be added to the committee on the petition from the prisoners in New-York.

The president laid before Congress a bill drawn on him by John Baynton, deputy pay-master general, in favour of col. John Piper, for £ 2074 14 4, Pennsylvania currency, being the amount of pay due to the militia of Bedford county, in the continental service :

*Ordered*, That it be referred to the board of treasury.

Adjourned to nine o'clock to-morrow.

#### FRIDAY, July 10, 1778.

Two letters, of the 6th, from the marquis de la Fayette, were read :

*Ordered*, That they be referred to the board of war.

A letter, of June 25th, from major-general Heath, enclosing a copy of a letter from him to major-general Philips; also a letter, of the 1st instant, from major-general Schuyler; were read.

The delegates from Pennsylvania laid before Congress the following letters, which were read, viz. one, of the 2d, from Samuel Hunter to John Hambright, esq. one, of the 8th, from Robert Levers to George Bryan, esq. vice-president of Pennsylvania; and one, of the 7th, from Jacob Stroud to Robert L. Hooper, esq.

*Ordered*, That they be referred to the board of war.

A petition from August Wille, was read :

*Ordered*, To lie on the table.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of col. John Piper, for 5582 52-90 dollars, to answer a draught in his favor from John Baynton, deputy pay-master of the western district, dated Fort-Pitt, April 27, 1778, for £ 2074 14 4, Pennsylvania currency; the said John Baynton to be accountable :

That, upon application of major-general R. Howe, by his letter, dated Savannah, April 26, 1778, a warrant issue on John Gibson, esq. for 2029 dollars, in favor of col. Marbary, to reimburse part of a sum which he advanced for the payment and subsistence of the troops under the command of major-general Howe, who is to be accountable :

That a warrant issue on John Gibson, esq. for 100,000 dollars, and another warrant on Joseph Borden, esq. commissioner of the continental loan-office in the state of New-Jersey, for 100,000 dollars, in favor of the delegates of that state, it being agreeably to an application of the general assembly thereof, for the purpose of discharging the arrears due to their militia; the said state to be accountable.

The committee appointed to prepare a circular letter to the states in this union, who have not hitherto authorized their delegates to ratify the confederation, brought in a draft, which being read and amended, was agreed to as follows :



SIR: Congress, intent upon the present and future security of these United States, has never ceased to consider a confederacy as the great principle of union, which can alone establish the liberty of America and exclude for ever the hopes of its enemies. Influenced by considerations so powerful, and duly weighing the difficulties, which oppose the expectation of any plan being formed, that can exactly meet the wishes and obtain the approbation of so many states, differing essentially in various points; Congress have, after mature deliberation, agreed to adopt, without amendments, the confederation transmitted to the several states for their approbation. The states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, Pennsylvania, Virginia, North-Carolina, and South-Carolina, have ratified the same, and it remains only for your state with those of        to conclude the glorious compact, which, by uniting the wealth, strength, and councils, of the whole, may bid defiance to external violence and internal dissensions, whilst it secures the public credit both at home and abroad. Congress is willing to hope that the patriotism and good sense of your state will be influenced by motives so important, and they request, sir, that you will be pleased to lay this letter before the legislature of        in order that, if they judge it proper, their delegates may be instructed to ratify the confederation with all convenient despatch; trusting to future deliberations to make such alterations and amendments as experience may shew to be expedient and just. I have the honor to be, &c.

Adjourned to nine o'clock to-morrow.

**SATURDAY, July 11, 1778.**

The president informed Congress that a private letter, which he has received from president Lowndes, of the state of South-Carolina, contains information of a public nature; a motion was made,

'That the president be requested to communicate to Congress so much of the letter as relates to the public:

A previous question was moved and put, that that question be not now put; passed in the negative.

The main question being put, passed in the affirmative.

Whereupon, an extract of a letter of June 17th, from president Lowndes, of South-Carolina, was laid before Congress, and read, respecting the clothier's department in that state, and some practices relative to loan-office certificates.

*Ordered*, That so much of the extract as relates to the clothier's department lie on the table, to be taken into consideration with the report of the committee on the clothier-general's department:

That so much thereof as relates to loan-office certificates, be referred to the board of treasury.

A letter, of the 7th, from Robert Martin, lieutenant in the continental navy, at Snow-Hill, was read, that being there on furlough till called to duty, and hearing of a French fleet on the coast, he has presumed to go on board the said fleet without orders, apprehending that he may be serviceable there.

A letter, of this day, from William Cross, was read:

*Ordered*, That it be referred to the board of war.

A letter, of this day, from Ebenezer Hazard, was read, upon which a motion was made.

*Ordered*, That the letter and motion be referred to a committee of three: the members chosen, Mr. R. H. Lee, Mr. Duer, and Mr. S. Adams.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, for 1500 dollars, in favor of John Hancock, esq. it being for the sum of 1300

dollars advanced baron Steuben, at Boston, to enable him to prosecute his journey to confer with Congress at York-town; and for 200 dollars, the price of a horse delivered to the said baron, who is to be accountable for the sum of 1500 dollars:

That a warrant issue on John Gibson, esq. auditor-general, for 3000 dollars, in favor of H. Laurens, esq. president of Congress, to pay expense of expresses.

*Resolved*, That the resolution of Congress of the 19th of May last, relative to bills of exchange, be so far re-considered, that the word "North," preceding the word "America," be omitted in the form of the bills; and that, in lieu of the words "To ———, of the United States of North-America," be inserted "To the commissioner or commissioners of the United States of America at Paris."

A letter, of the 10th, from Silas Deane, esq. dated "Delaware-Bay," was read, informing Congress of his arrival on board the Languedoc, commanded by his excellency count d'Estaing, who has under his command a fleet of 12 sail of the line of battle ships, and four frigates, which sailed from Toulon the 10th of April:

*Ordered*, That it be referred to a committee of three, and that they be directed to take the speediest measures for furnishing count d'Estaing with a sufficient number of skilful pilots: the members chosen, Mr. Duer, Mr. J. B. Smith, and Mr. Boudinot.

A letter, of the 8th, from count d'Estaing, commander of the French fleet, was read; Whereupon,

*Resolved*, That gen. Washington be informed, that it is the desire of Congress that he co-operate with his excellency count d'Estaing, commander of a French squadron now on the coast of North-America, and proceeding to New-York, in the execution of such offensive operations against the enemy as they shall mutually approve.

His most Christian majesty the king of France, having thought proper to send on the coasts a powerful fleet, in order to co-operate with the forces of these states, in the reduction of the British army and navy:

*Resolved*, That gen. Washington be empowered to call on the states of New-Hampshire, Massachusetts-Bay, Connecticut, Rhode-Island, New-York, New-Jersey, or such of them as he shall judge proper, for such aids of their militia as he shall think requisite for carrying on his operations in concert with count d'Estaing, commander of the French fleet; and that it be earnestly recommended to the states above mentioned, to exert themselves in forwarding the force which may be required from them with the utmost despatch.

*Ordered*, That the board of treasury supply Mons. de Chain, who is on his way from count d'Estaing to gen. Washington, with any sum he may stand in need of, not exceeding 20,000 French livres, to be charged to account of his excellency Mons. Gerard, minister plenipotentiary from his most Christian majesty the king of France.

*Ordered*, That the quarter-master supply Mons. Chain with horses or carriages to convey him to gen. Washington's head-quarters.

*Resolved*, That the marine committee be directed to order the commissioners of the navy to the eastward, to fit out as many continental frigates and armed vessels as possible, with the utmost despatch, to join the French squadron in their operations against the enemy.

*Ordered*, That the board of war take measures for providing a suitable house for the accommodation of the sieur Gerard, minister plenipotentiary, who is arrived in the Languedoc; and that they give the necessary orders for receiving him with proper honors on his arrival in this city.

*Resolved*, That a committee of five be appointed to wait on Mons. Gerard,

on his arrival, and conduct him to his lodgings: the members chosen, Mr. Hancock, Mr. R. H. Lee, Mr. Drayton, Mr. Roberdeau, and Mr. Duer.

Adjourned to nine o'clock on Monday.

MONDAY, *July 13, 1778.*

Mr. Telfair, a delegate from Georgia, attended and produced the credentials of the delegates of that state, which were read, as follows:

“HOUSE OF ASSEMBLY, *Thursday, February 26, 1778.*

“The house proceeded to ballot for delegates to represent this state in Congress for the ensuing year, when the following gentlemen were chosen, to wit: Lyman Hall, George Walton, Joseph Clay, John Walton, Edward Telfair, Joseph Wood, and Edward Langworthy, esqrs.

Extract from the minutes,

GEORGE CUTHBERT, *Clerk.*”

Mr. Harvie, a delegate from Virginia, and Mr. Forbes, a delegate from Maryland, attended, and took their seats in Congress.

A letter, of the 15th, from the council of Pennsylvania, was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 4th, from gov. Henry, of Virginia, was read; Whereupon,

*Ordered*, That the president write by express to gov. Henry, and request him to spare, for the use of the army of the United States, all the vinegar composing part of the cargo of the ship Roderique, which was purchased by the state of Virginia.

The committee for foreign affairs laid before Congress a letter of the 31st of March last, from Dr. Edward Bancroft, which was read, and returned to the committee.

The committee on the treasury brought in a report, which was read:

*Ordered*, That the consideration thereof be postponed till to-morrow.

A letter, of this day, from E. Blaine, deputy commissary-general of purchases, was read; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of Ephraim Blaine, on his application, for 500,000 dollars, for the use of his department; col. Wadsworth to be accountable, and that col. Wadsworth be informed of this application and order.

A letter, of this day, from Timothy Matlack, was read, enclosing a copy of a letter from Samuel Hunter, county-lieutenant, to colonels Henry Shoemaker, Michael Lindawood, and others, commanders of militia in Berks county:

*Ordered*, That the letter from Samuel Hunter be referred to the board of war, and the letters from T. Matlack to a committee of four; the members chosen, Mr. Banister, Mr. G. Morris, Mr. Chase, and Mr. Dana.

*Resolved*, That the commissary-general be directed to furnish the French squadron, under Mons. the count d'Estaing, vice-admiral of France, with such provisions, from time to time, as shall be directed by the marine-committee, and to make return of his proceedings and expenditures on this occasion to that committee.

*Ordered*, That the committee of commerce render an account to Congress of the quantities of tobacco which they have purchased, how they have been disposed of, and what quantities still remain in the states of Virginia and Maryland.

A letter, of the 1st, from James Jay, at Boston, was read.

The committee to whom the petition from the officers, prisoners of war on Long Island, was referred, brought in a report, which was read; and after being debated, the determination thereof was postponed at the request of a state.

An application being made by John Nicholson, late captain of the Hornet,

and also an application being received from Henry Johnson, late captain of the brig Lexington, in the service of the United States, which vessels they have respectively lost, desiring to know which way they are to proceed, in order to have their conduct enquired into :

*Ordered*, That the said applications be referred to the marine committee, and that they take order thereon.

A motion being made, respecting Carpenter Wharton,

*Ordered*, That it be referred to a committee of three : the members chosen, Mr. Drayton, Mr. Chase, and Mr. Sherman.

Adjourned to nine o'clock to-morrow.

#### TUESDAY, July 14, 1778.

A letter, of the 12th, from John Harris, at Paxton, directed to the secretary of Congress, on public service, was laid before Congress, and read :

*Resolved*, That it be referred to the board of war, and that the board of war be directed, in conjunction with the supreme executive council of Pennsylvania, to take the most speedy and practicable measures for repelling the present irruption of the Indians, and for protecting the continental magazine at Carlisle.

That sieur Gerard being arrived in town, and having delivered to the president a copy of a letter from his most Christian majesty, signed Louis, and underneath Gravier de Vergennes, the same was read ; Whereupon,

*Resolved*, That his excellency the sieur Gerard be received as minister plenipotentiary from his most Christian majesty to the Congress of the United States of America.

Adjourned to nine o'clock to-morrow.

#### WEDNESDAY, July 15, 1778.

Mr. J. Reed, a delegate for Pennsylvania, attended, and took his seat in Congress.

A letter, of the 12th, from gen. Washington, at his camp, at Pyramus, and one of the 12th, from col. R. Wescot, at the Forks of Little Egg-Harbour ; also sundry papers from his excellency the sieur Gerard, were read.

A letter, of March 25th, from his excellency the count de Vergennes to Silas Deane, esq. was read.

A letter, of March 23d, from the hon. William Lee, at Paris, was read, and referred to the committee for foreign affairs.

A letter, of the 10th, from major-general Gates, at White-Plains, was read.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, for 5500 dollars, in favor of Mr. S. Adams, Mr. Gerry, Mr. Dana, Mr. Lovell and Mr. Holten, delegates of the state of Massachusetts-Bay, advanced on their application ; the said state to be accountable :

That a warrant issue on John Gibson, esq. auditor-general for 80,000 dollars, in favor of the marine committee, to enable them to pay a bill drawn on them by the navy board of the eastern department, dated May 11th, in favor of Nathaniel Shaw, esq. the said committee to be accountable :

That a warrant issue on John Gibson, esq. auditor-general, in favor of the committee of commerce, for 417 35-90 dollars, to enable them to pay James and Adam Hunter, of Virginia, the balance of their account, dated the 29th of May last : the said committee to be accountable :

That a warrant issue on John Gibson, esq. auditor-general, for 924 dollars, in favor of John Knight, in discharge of two bills of exchange, drawn by John Ashe, treasurer of the state of North-Carolina, one dated January 29th, 1777, for 799 dollars, in favor of Thomas Craike, the other dated May

10th, 1777, for 125 dollars, in favor of Benjamin Williams; the said sum to be accountable :

That a warrant issue on John Gibson, esq. auditor-general, in favor of Joseph Nourse, pay-master to the board of war and ordnance, for 20,000 dollars, upon an application of the said board, to answer a draft of Samuel Shaw, jun. of New-London, in favor of capt. John Mitchell, and the 4th, 1778, for duck and lead ; the said J. Nourse to be accountable.

A letter, of June 30th, from Hewes, Smith and Allen, at Edinburgh, read :

*Ordered*, That it be referred to the committee of commerce.

*Resolved*, That three members be added to the committee of commerce, the members chosen, Mr. Telfair, Mr. Harvie, and Mr. A. Adams.

A petition from John Brown, ensign in col. Grenton's regiment, read.

*Ordered*, That the said petition be dismissed.

Congress took into consideration a memorial from the sieur Comte de Saxe, respecting prisoners taken by the squadron of his most Christian majesty, commanded by the count d'Estaing, being one of the papers received this morning : Whereupon,

*Resolved*, That all prisoners taken, or which may be taken by the squadron of his most Christian majesty, under the command of the count de Saxe, vice-admiral of France, be received by the commissary-general of the navy, and that he provide for their safe custody and subsistence in like manner as hath been usual for the prisoners of these states :

That he make monthly returns of all prisoners, which shall be received, to the board of war :

That he make monthly returns to the treasury of the accounts of the money expended for the purposes aforesaid ; and that the prisoners be at the disposal of his most Christian majesty, and subject to the orders of his excellency Mons. count d'Estaing.

*Resolved*, That all officers in the service of these states be directed to give proper attention to the above resolution.

*Ordered*, That the paper relative to signals, received from the sieur Gerard, and read this morning, be referred to the committee of the navy.

*Ordered*, That an extract of another paper from the sieur Gerard, relative to the encouragement given by count d'Estaing to American vessels, whether public or private, be published.

*Ordered*, That the note from the sieur Gerard, setting forth, "that the prisoners of war, for the guard and subsistence of which he has ordered Congress to provide, there is one of the name of Towson, a native of Maryland ; that the birth of this captain in one of the United States, and the sentiments he has expressed for his country, have determined the sieur Gerard to refer the decision of his fate to Congress, who may grant him full liberty if they judge him worthy of this favor," be referred to the committee of the navy.

A letter, of the 11th, from J. Wadsworth, commissary-general of the army, was read :

*Ordered*, That it be referred to the committee of the army.

Congress resumed the consideration of the 13th : Whereupon,

*Resolved*, That a treasurer of the mint be appointed, to sign loan-office certificates and to deliver such certificates and bonds to the board of treasury ; to receive from time to time, order to be sunk in the services, incident to his office, at the board of treasury :

That the treasurer of loans be allowed a salary at the rate of 2000 dollars a year.

*Ordered*, That Friday next be assigned for electing a treasurer of loans.

A petition from the marquis de Vienne, was read : Whereupon, a resolution was moved, in the words following :

That the marquis de Vienne, a major in the service of the king of France, having served with reputation as a volunteer in the American army during the present campaign, and having requested Congress to honor him with the brevet commission of a colonel, without any pay annexed to the said rank :

*Resolved*, That the request of the marquis de Vienne be complied with, and that a brevet commission of colonel in the service of the United States be conferred on him.

A motion was made, to amend the resolution by inserting the word "lieutenant" before the word "colonel : " and the yeas and nays being required by Mr. Marchant,

<i>N.-Hampshire</i> , Mr. Bartlett,	ay	ay	<i>Pennsylvania</i> , Mr. R. Morris,	no	} div.
<i>Massa'tts-Bay</i> , Mr. Gerry,	no	} no	Reed,	ay	
	Dana,	no	<i>Maryland</i> , Mr. Chase,	no	} no
	Lovell,	no	Forbes,	no	
	Holten,	ay	<i>Virginia</i> , Mr. R. H. Lee,	no	} no
<i>Rhode-Island</i> , Mr. Marchant	ay	ay	Banister,	no	
<i>Connecticut</i> , Mr. Sherman,	no	} no	T. Adams,	no	
	Hosmer,	no	Harvie,	ay	
	A. Adams,	no	<i>S.-Carolina</i> , Mr. Laurens,	no	} no
<i>New-York</i> , Mr. Duer,	no	*	Matthews,	ay	
<i>New-Jersey</i> , Mr. Witherspoon,	no	} no	Heyward,	no	
	Elmer,	ay	<i>Georgia</i> , Mr. Telfair,	ay	ay
	Boudinot,	no			

So it passed in the negative.

The main question was then put ; and the yeas and nays being required by Mr. Marchant,

<i>New-Hampshire</i> , Mr. Bartlett,	no	no	<i>Pennsylvania</i> , Mr. R. Morris,	ay	} div.
<i>Massa'tts-Bay</i> , Mr. Gerry,	ay	} ay	Reed,	no	
	Dana,	ay	<i>Maryland</i> , Mr. Chase,	ay	} ay
	Lovell,	ay	Forbes,	ay	
	Holten,	no	<i>Virginia</i> , Mr. R. H. Lee,	ay	} ay
<i>Rhode-Island</i> , Mr. Marchant,	no	no	Banister,	ay	
<i>Connecticut</i> , Mr. Sherman,	no	} ay	T. Adams,	ay	
	Hosmer,	ay	Harvie,	ay	
	A. Adams,	ay	<i>S.-Carolina</i> , Mr. Laurens,	ay	} ay
<i>New-York</i> , Mr. Duer,	ay	*	Matthews,	no	
<i>New-Jersey</i> , Mr. Witherspoon,	ay	} ay	Heyward,	ay	
	Elmer,	no	<i>Georgia</i> , Mr. Telfair,	no	no
	Boudinot,	ay			

So it was resolved in the affirmative.

Adjourned to nine o'clock to-morrow.

#### THURSDAY, July 16, 1778.

A proposal from capt. John Mitchel, commander of the French ship Lion, in York-river, Virginia, to enter into a treaty or agreement with Congress for importing goods, was read :

*Ordered*, That it be referred to the committee of commerce.

Mr. Dana laid before Congress a letter which he received from gov. G. Johnstone, one of the commissioners from the king of Great-Britain, together with an extract of the same, as far as it relates to public matters, which extract was compared with the original and lodged with the secretary, and the original was returned.

Dr. Witherspoon also laid before Congress sundry letters he received from his friends in Scotland, and the same containing nothing important of a public nature, were returned.



The delegates of Maryland, to whom was referred the note from the sieur Gerard, respecting capt. Towson, brought in a report; Whereupon,  
*Resolved*, That full liberty be granted to captain Towson.

Mr. Penn, a delegate from North-Carolina, attended, and produced his credentials, which were read as follows :

“(L. S.) STATE OF NORTH-CAROLINA :

To John Penn, Cornelius Harnett, and John Williams, esqrs. greeting.

Whereas, the general assembly have elected you delegates to attend the Congress of the United States : these are therefore to commissionate, authorize, and empower you, the said John Penn, Cornelius Harnett, and John Williams, to attend the said Congress of the United States of America, in behalf of this state, for one year, from the 28th day of April last, unless sooner recalled by the general assembly ; and you are hereby invested with such powers as may make any act done by you, or consent given in the said Congress in behalf of this state, obligatory upon every inhabitant thereof. Witness, Richard Caswell, esq. governor, captain-general, and commander in chief of the said state, under his hand and seal at arms, at Newbern, the 2d day of May, Anno Domini 1778, and in the second year of our independence.

R. CASWELL.

By his excellency's command,

J. GLASGOW, *Secretary.*”

Mr. Gerard having transmitted to Congress a paper, thanking Congress for the quick despatch with which they have provided for the first wants of the French squadron, and accompanied with a memorandum of the provisions which will hereafter be necessary ; also notifying that Mr. Holker is commissioned “agent of the marine of France,” and desiring that Congress would make him known as such, where it may be necessary :

*Ordered*, That the same be referred to the marine committee.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer for 524,000 dollars, in favor of the marine committee, advanced upon their application, for the use of the navy board in the eastern department ; the said committee to be accountable :

That a warrant issue on John Gibson, esq. auditor-general, for 50,000 dollars ; and another warrant on John Lawrence, esq. commissioner of the continental loan-office in the state of Connecticut, for 100,000 dollars ; in favor of William Buchanan, esq. late commissary-general of purchases, to be by him transmitted to Peter Colt, esq. deputy commissary-general of purchases for the eastern district ; the said William Buchanan, esq. to be accountable :

That a warrant issue on John Gibson, esq. auditor-general, for 37,570 30-90 dollars, in favor of James Mease, esq. clothier-general, to enable him to answer two draughts of Messrs. Otis and Andrews, one in favor of capt. John Mitchel, for 27,574 30-90 dollars, the other in favor of Mr. P. Gourgé, for 10,000 dollars ; the said J. Mease, esq. to be accountable.

Adjourned to nine o'clock to-morrow.

FRIDAY, July 17, 1778.

A letter, of the 14th, from gen. Washington, at Pyramus, Bergen county, in the state of New-Jersey, and one of the 16th, from J. Nourse, pay-master of the board of war and ordnance, were read :

*Ordered*, That the letter from J. Nourse, be referred to the board of treasury.

A letter, of the 16th, from the board of war, was read, informing that the express sent to bring back the Seneca chiefs, is returned ; that the chiefs would not consent to return, and that the board did not think themselves authorized to use force in the case : Whereupon,

A motion was made, "that a letter be written to gen. Schuyler and the commissioners of Indian affairs, acquainting them that Congress have received probable information that the Seneca nation, or some of them, have very lately committed hostilities against these states, and directing the said commissioners to take prudent but effectual measures for detaining the Seneca chiefs now among us, and on their way to Albany, till full information be obtained upon the subject, unless they should have cogent reasons to the contrary :"

Question put passed in the negative.

A letter, of this day, from Cornelius Sweers, was read :

*Ordered*, That it be referred to the board of war, and that they issue such orders relative to the place of Mr. Sweers's confinement, until his conduct can be examined, as they shall judge sufficient for the security of his person.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, for 200 dollars, in favor of Mr. Mosley, copper-plate printer, advanced him on account.

*Ordered*, That the remainder of the report be re-committed.

In consequence of a recommendation,

*Resolved*, That the Rev. James Francis Armstrong be appointed chaplain to the second brigade of Maryland forces.

*Resolved*, That Mr. Penn be appointed a member of the marine committee, for the state of North-Carolina.

Adjourned to nine o'clock, to-morrow.

#### SATURDAY, July 18, 1778.

According to order, Mr. J. Reed laid before Congress a letter from George Johnstone, dated London, April 11, 1778, and directed to gen. Joseph Reed ; and also an extract of a letter from Dennis d'Bert, intended as a letter of introduction for gov. Johnstone :

*Ordered*, That the letter from gov. G. Johnstone be published.

A letter signed Carlisle, William Eden, George Johnstone, dated New-York, the 11th of July, 1778, and directed "to his excellency Henry Laurens, the president, and others the members of Congress," was received and read ; Whereupon,

Congress came to the following resolutions :

Whereas Congress, in a letter to the British commissioners, of the 17th of June last, did declare that they would be ready to enter upon the consideration of a treaty of peace and commerce, not inconsistent with treaties already subsisting, when the king of Great-Britain should demonstrate a sincere disposition for that purpose ; and that the only solid proof of this disposition, would be an explicit acknowledgment of the independence of these states, or the withdrawing his fleets and armies ; and, whereas, neither of these alternatives have been complied with ; therefore,

*Resolved*, That no answer be given to the letter of the 11th inst. from the British commissioners.

*Ordered*, That the said letter and the foregoing resolutions be published.

*Ordered*, That the letter signed George Johnstone, dated Philadelphia, June 16th, 1778, and directed to Robert Morris, esq. be published.

*Ordered*, That the extract of the letter from gov. George Johnstone to Mr. Dana, be published.

A letter, of the 17th, from gov. Livingston, of New-Jersey, was read.

A particular invoice of goods, taken and purchased for the use of the army upon the evacuation of the city of Philadelphia, being transmitted to Congress by the clothier-general,

*Ordered*, That it lie on the table.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, for 13,000 dollars; in favor of the committee of commerce, to enable them to pay a bill drawn on them by Messrs. Hewes, Smith and Allen, continental agents in the state of North-Carolina, for that sum, dated the 30th of June last, in favor of Mr. Benjamin Joy; the said committee to be accountable.

Congress being informed that Ludwig Karcher, butcher, who was in the continental employ in the commissary's department, entered into the service of the enemy, and now remains in the city of Philadelphia;

*Ordered*, That the board of war issue immediate orders to have the said Ludwig Karcher arrested and secured.

Adjourned to nine o'clock on Monday.

### MONDAY, July 20, 1778.

A letter, of the 18th, from lieutenant-colonel Laurens, one of general Washington's aids, was read.

A letter, of the 8th, from governor Henry, of Virginia, was read:

*Ordered*, That it be referred to the board of war and ordnance, and that they be directed to take the same under their immediate consideration, and report thereon as soon as possible.

A letter, of the 6th, from general Heath, was read:

*Ordered*, That it be referred to the board of treasury.

A letter, of the 8th, from general Heath, was read, enclosing sundry papers relative to ensign John Brown, under sentence of death:

*Ordered*, That the same be referred to a committee of three; the members chosen, Mr. Sherman, Mr. Marchant, and Mr. Drayton.

A letter, of the 9th, from gen. Heath, was read:

*Ordered*, That it be referred to the board of war.

A letter, of the 15th, from James Smith, directed to the hon. the vice-president and council of the state of Pennsylvania, with a deposition of John Bosley, enclosed, was laid before Congress and read:

*Ordered*, That the same be referred to the board of war.

A letter, of the 9th, from the council of Massachusetts-Bay, was read:

An account for funeral expenses of the late Mons. du Coudray was laid before Congress:

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred the letter of the 11th, from Ebenezer Hazard, esq. and the papers relating thereto, report,

That they have had the same under consideration, and, having conversed with Mr. Hazard upon the subject, are of opinion that Mr. Hazard's undertaking is laudable, and deserves the public patronage and encouragement, as being productive of public utility: Whereupon,

*Resolved*, That it be recommended to the several governors, presidents, and executive powers of the several states in this union, to assist Mr. Hazard, and give facility to his labors in making a collection of the various state papers relative to the origin and progress of the several European settlements in North-America, and such as relate to the rise and progress of the present war with Great-Britain: that, for this purpose, he be admitted to an inspection of public records, and be furnished, without expense, copies of such papers as he may judge will conduce to the valuable end he hath in view:

That it be also recommended to such private gentlemen as may have collected any materials of the kinds above mentioned, to assist Mr. Hazard in his laudable undertaking.

The committee farther report, that, in their opinion, the making this collection will not interfere with Mr. Hazard's employment in the post-office,

nor interrupt the discharge of his duty as a surveyor of the post in the eastern department; but that Mr. Hazard must necessarily be put to expense of various kinds in procuring the extensive collection of materials he proposes to make; Whereupon,

*Resolved*, That to enable Mr. Hazard to sustain such expense 1000 dollars be advanced to him upon account, returns being made to Congress of his expenses in this business.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, for 6000 dollars, in favor of Joseph Nourse, pay-master for the board of war and ordnance, to enable the board of war to pay col. Broadhead three months' pay of his regiment, who are now on their march to the western country; the said Joseph Nourse to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due to Mr. Gouverneur Morris, for his expenses on the road to and from camp, on public service, last spring, 51 dollars:

To John Young, who was a private in the 3d Virginia regiment, in captain Reuben Briscoe's company, as per certificates, for his pay from the 14th of February, 1778, to the 16th of June last, inclusive, four months and two days, during which time he was a prisoner with the enemy in Philadelphia, 27 10-90 dollars:

To the Rev. Mr. Lotbinier, a balance of 87 65-90 dollars, as per account stated herewith, for rations, agreeable to a resolve in Congress of June last, and for his pay and subsistence from the 11th of June to the 10th of July, 1778, the sum of 60 dollars, making, in the whole, 147 65-90 dollars:

To the chevalier de Faillie his pay as lieutenant-colonel, from the 1st of April to the 30th of June, 1778, three months, at 60 dollars per month, 180 dollars; and for his rations from the 1st of April to the 31st of May, 61 days, at five rations per day, is 305 rations, at 30-90ths per ration, 101 60-90 dollars; and for his subsistence allowed in lieu of rations, from the 1st to the 30th of June, 1778, inclusive, 40 dollars; making, in the whole, 321 60-90 dollars:

*Ordered*, That the said accounts be paid.

Adjourned to nine o'clock to-morrow.

## TUESDAY, July 21, 1778.

A letter of April 3d, one of May 5th, and one of May 6th, from governor de Galves, of New-Orleans, directed to Messrs. R. Morris and W. Smith; and a letter of July 4th, from J. Morain, late captain of the sloop Bernardo, from the Mississippi, at Edenton, North-Carolina, with an invoice of her cargo; and sundry letters and papers from M. Pollock, at New-Orleans, were laid before Congress and read:

*Ordered*, That they be referred to the committee of commerce.

A letter, of June 23d, from the council of Massachusetts-Bay, was read:

*Ordered*, That so much as relates to money, be referred to the board of treasury; and the remainder to a committee of three: the members chosen, Mr. Dana, Mr. Reed, and Mr. Sherman.

Pursuant to the powers in them vested, the delegates of North-Carolina signed the ratification of the articles of confederation, in behalf that state.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on John Gibson, esq. auditor-general, in favor of John Penn, for 1071 dollars, in discharge of three bills of exchange, drawn on the continental treasurer by John Ashe, treasurer of the state of North-Carolina, one dated January 29th, 1777, in favor of Thomas Craike, for 250 dollars; one other, dated May 9th, 1777, in favor of Cosmo Medici,

esq. for 321 dollars; each of which is expressed to be for clothing the continental troops in that state; the other dated May 9th, 1777, in favor of Thomas Donalho, for 500 dollars, and endorsed by him to Robert Williams, and expressed to be for the service of the United States; which several bills are to be charged to the state of North-Carolina, in part of the grant in favor of the said state, for 500,000 dollars.

Adjourned to nine o'clock to-morrow.

### WEDNESDAY, July 22, 1778.

A letter, of the 17th, from Mr. W. Smith, at Baltimore, was read, informing that his private business puts it out of his power to give any further attendance at the navy board now removed to Philadelphia, and therefore requesting Congress will accept his resignation; Whereupon,

*Resolved*, That the resignation of William Smith, as commissioner of the navy board in the middle district be accepted.

The board of war, to whom were referred the letters from his excellency P. Henry, governor of Virginia, dated the 8th and 10th of July, brought in a report, which was taken into consideration, and after debate,

*Ordered*, That it be re-committed.

*Resolved*, That a member from Pennsylvania and a member from Virginia be appointed to confer with the board of war on the subject of this report: the members chosen, Mr. Reed, and Mr. Harvie.

*Ordered*, That the board of war and committee meet on this business forthwith, and report thereon as soon as possible.

A letter, of the 16th, from gov. Henry, of Virginia, was read.

The committee on the treasury brought in a report.

Adjourned to nine o'clock to-morrow.

### THURSDAY, July 23, 1778.

Mr. J. Walton, a delegate from Georgia, attended, and took his seat in Congress.

The delegates from Georgia laid before Congress the proceedings of the assembly of that state, respecting the articles of confederation, which were read.

A letter, of the 22d, from Frederick Tracey, with two letters enclosed from J. Moore, was read:

*Ordered*, That the same be referred to the board of war.

A letter of March 11th, 1778, from don Diego Joseph Navarro, at Havana, was read.

Two commissions from the sieur Gerard, minister plenipotentiary of his most Christian majesty, to Mons. J. Holker, both dated at Philadelphia, July 15th, 1778; the one appointing him, the said J. Holker, inspector-general of trade and manufactures of France, and agent to the royal marine of France; the other appointing him, the said J. Holker, inspector-general of trade and manufactures of France, consul of France in the port of Philadelphia: Whereupon two resolutions were moved.

On motion, *Resolved*, That the said commissions, with the resolutions moved, be referred to a committee of five: the members chosen, Mr. Chase, Mr. R. Morris, Mr. Duer, Mr. Gerry, and Mr. Heyward.

A petition from Richard Marven and Samuel Shaw, was read:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. Dana, Mr. Drayton, and Mr. G. Morris.

A petition from merchants in Philadelphia, and a letter from White and Chaloner, directed to Thomas and Isaac Wharton, were read:

*Ordered*, That the same be referred to a committee of four: the members chosen, Mr. Duer, Mr. Harvie, Mr. Holten, and Mr. Drayton:



**Ordered,** That the letter of the 9th instant, from major-general Arnold, be referred to the said committee.

**Resolved,** That the said committee, in conjunction with the committee appointed or to be appointed by the supreme executive council of the state of Pennsylvania, be authorized to ascertain the property of the goods, wares, and merchandise in possession of the inhabitants of the city of Philadelphia, at the time it was evacuated by the enemy, viz. so far as to determine whether any, or what part thereof may belong to the king of Great-Britain or any of his subjects, agreeably to the resolution of the 4th of June last.

**Ordered,** That the invoice of goods, taken and purchased for the use of the army upon the evacuation of the city of Philadelphia by the enemy, which was, according to order, transmitted to Congress by the clothier-general, be referred to the foregoing committee.

The determination of the question postponed at the request of a state on the 13th, was called for; a debate arising thereon, and a doubt arising respecting the power of the two delegates from Georgia to give the vote of that state,

**Ordered,** That the credentials heretofore given the delegates from Georgia, together with the credentials of the attending members from that state, be laid before Congress.

Adjourned to nine o'clock to-morrow.

#### FRIDAY, July 24, 1778.

According to order, the credentials heretofore given to delegates from Georgia, together with the credentials of the attending members from that state, were laid before Congress, and read: Whereupon,

**Resolved,** That any one of the delegates from Georgia, or a majority of those present, is fully authorized to represent and give the vote of that state.

A question was then moved, whether one delegate from North-Carolina is empowered, under the credentials last given, to represent and give the vote of that state? Whereupon,

**Resolved,** That any one of the delegates of North-Carolina is empowered, when only one is present, to give the vote of that state:

The yeas and nays being, on this question, required by Mr. Chase,

<i>N.-Hampshire,</i> Mr. Bartlett,	ay	ay	<i>Pennsylvania,</i> Mr. R. Morris,	ay	ay
<i>Massa'tts-Bay,</i> Mr. Gerry,	no		Reed,	ay	ay
Dana,	ay	ay	<i>Maryland,</i> Mr. Chase,	no	no
Lovell,	ay		Forbes,	no	
Holten,	ay	ay	<i>Virginia,</i> Mr. R. H. Lee,	no	
<i>Rhode-Island,</i> Mr. Marchant,	no	no	Banister,	ay	ay
Collins,	no		T. Adams,	ay	
<i>Connecticut,</i> Mr. Sherman,	ay	ay	<i>S.-Carolina,</i> Mr. Laurens,	ay	ay
A. Adams,	ay		Drayton,	ay	ay
<i>New-York,</i> Mr. Duer,	ay	ay	Heyward,	ay	
G. Morris,	ay	ay	<i>Georgia,</i> Mr. Walton,	ay	ay
<i>New-Jersey,</i> Mr. Witherspoon,	ay		Telfair,	ay	ay
Elmer,	ay	ay			
Scudder,	no				

So it was resolved in the affirmative.

A memorial from Francis Hopkinson and John Wharton, commissioners of the navy board in the middle district, was read, enclosing an account of their expenses at Baltimore, in Maryland, on public business, by order of the marine committee:

**Ordered,** That it be referred to the marine committee.

The determination of the question postponed by a state, was called for: Whereupon it was moved, and

**Resolved,** That the determination of that question be postponed.

Pursuant to the powers in them vested, the delegates of Georgia signed the ratification of the confederation.



Congress took into consideration the report from the board of treasury; and some time being spent thereon,

*Ordered*, That the farther consideration thereof be postponed till to-morrow. Adjourned to nine o'clock to-morrow.

SATURDAY, July 25, 1778.

A letter, of the 6th, from Mr. President Lowndes, of South-Carolina, was read:

*Ordered*, That it be referred to the medical committee.

A letter, of the 15th, from Mons. de Francey, at Williamsburgh, was read:

*Ordered*, That it be referred to the committee of commerce, and that they report thereon with all expedition.

The committee of foreign affairs laid before Congress a copy of the proceedings at a maritime court against the snow "Our Lady of Mount Carmel:"

*Ordered*, That it be referred to the committee on the letter of the 1st of June, from the board of war for the state of Massachusetts-Bay.

Congress resumed the consideration of the report of the board of treasury of the 22d; Whereupon,

*Ordered*, That, upon application of the board of war and ordnance, a warrant issue on John Gibson, esq. auditor-general, for 17,849 45-90 dollars, in favor of Joseph Nourse, pay-master of the said board, to be issued by them for the purchase of clothing; the said Joseph Nourse to be accountable:

That a warrant issue on John Gibson, esq. auditor-general, for 79,980 30-90 dollars, in favor of James Mease, esq. clothier-general, to enable him to pay the following draughts of Otis & Andrews, of Boston, viz. in favor of Lee & Jones, for 8000 dollars; Codman & Smith, 1035 dollars; Thomas Russel, 18,333 30-90 dollars; Mons. A. Cabott, 30,000 dollars; Mr. E. Gerry, 3475 dollars; S. P. Savage, 10,000 dollars; and a draught of Joseph Pennell, of Virginia, for sundries furnished major Lee's corps, 9137 dollars; making in the whole, 79,980 30-90 dollars.

The board of treasury having recommended sundry persons, and among them one of an ecclesiastical character, as inspectors of the presses for striking bills of credit, bills of exchange, and loan-office certificates,

A motion was made, that the sense of the house be taken, whether it is proper that Congress should appoint any person of an ecclesiastical character to any civil office under the United States?

Whereupon, the previous question was moved, and the yeas and nays being required by Mr. Duer,

<i>New-Hampshire</i> , Mr. Bartlett,	ay	ay	<i>Pennsylvania</i> , Mr. Reed,	ay	ay
<i>Massachusetts-Bay</i> , Mr. S. Adams,	ay		<i>Maryland</i> , Mr. Chase,	no	
Gerry,	ay		Plater,	no	no
Dana,	ay	ay	Forbes,	no	
Lovell,	ay		Mr. Banister,	ay	
Holten,	ay		Harvie,	no	
<i>Rhode-Island</i> , Mr. Marchant,	ay	ay	Mr. Penn,	no	no
Collins,	ay		Mr. Laurens,	no	
<i>Connecticut</i> , Mr. Sherman,	ay	ay	Drayton,	ay	ay
A. Adams,	ay		Matthews,	ay	
<i>New-York</i> , Mr. Duer,	no	no	Heyward,	ay	
G. Morris,	no		Mr. Walton,	no	no
<i>New-Jersey</i> , Mr. Witherspoon,	ay		Telfair,	no	
Elmer,	ay	ay			
Scudder,	ay				

So it was resolved that the main question be not now put.

*Resolved*, That the remainder of the report, respecting a grant to the state of Massachusetts-Bay, be postponed.

The committee on the treasury brought in another report; Whereupon,

*Ordered*, That a warrant issue on the treasurer of the state of Connecti-

cut, for 100,000 dollars, to be paid out of the money assessed by that state, agreeably to the resolution of Congress of the 22d of November last, and another warrant on John Lawrence, esq. commissioner of the continental loan-office in the said state, for 100,000 dollars, in favor of Ebenezer Hancock, esq. deputy pay-master general of the eastern district, for the use of his department; he to be accountable.

In consequence of an adjustment by the commissioners of claims at the treasury, the auditor-general reports,

That there is due to Mr. Francis Dana, for his expenses from camp to York-town, and his servant's expenses going and returning, 61 60-90 dollars :

To William Widdifield, for 6 windsor chairs for the use of the treasury office, 42 dollars :

To John Pinkerton, for six windsor chairs, for the use of the treasury office, 42 dollars :

*Ordered*, That the said accounts be paid.

*Resolved*, That the remainder of the report, respecting the account of lieutenant Andrew M'Farlain, be postponed.

The board of war, to whom were referred the letters from his excellency Patrick Henry, esq. governor of Virginia, dated the 8th and 10th of July, report,

That, from various enquiries made by the board, it appears that success in an expedition against Detroit cannot be reasonably expected, unless the force destined for that service be ready to march from Fort-Pitt by the first of September :

That from the letters received from governor Henry, and Patrick Lockart, appointed to act as commissary, &c. on the above expedition, it appears that the capital articles necessary for carrying on the expedition, viz. men, horses, flour, and beeves, cannot be procured by any means within the time limited, and probably not even during the course of the present year :

That, from the extraordinary rise of articles, especially of horses, since the expedition was first determined on, the expense of it, if practicable, would exceed, in an enormous degree, the estimate formed by the late commissioners at Fort-Pitt, and submitted by the board to the consideration of Congress ; Whereupon,

*Resolved*, That the expedition against the fortress of Detroit be, for the present, deferred :

That brigadier M'Intosh be directed to assemble at Fort-Pitt, as many continental troops and militia as will amount to 1500, and proceed, without delay, to destroy such towns of the hostile tribes of Indians as he, in his discretion, shall think will most effectually tend to chastise and terrify the savages, and to check their ravages on the frontiers of these states :

That such of the articles as have been already procured for the expedition against Detroit, and which are necessary for the incursion against the Indian towns, be appropriated for that purpose, and that the board of war be directed to give the necessary orders on this point :

That governor Henry be informed of the determination of Congress with respect to the intended expedition, and that he be desired to furnish brigadier M'Intosh with such a number of militia as he shall apply for, to make up the complement of men destined for an incursion into the towns of the hostile Indians :

That the president be directed to inform gov. Henry that Congress have a high sense of the zeal of the assembly of Virginia, in voting, at their late session, a reinforcement of infantry and cavalry for the main army, but that a change in circumstances renders the march and services of those troops at present inexpedient :

That gov. Henry be therefore requested to cease raising the troops voted, and to order such of the infantry as are already raised, and are in the vicinity of the frontiers, together with a troop of cavalry, not exceeding fifty men, under the command of an intelligent and active officer, forthwith to join brigadier M<sup>c</sup>Intosh at Fort-Pitt:

That it appearing most evidently that the late incursions at Wyoming and the adjacent parts, have been made by the Senecas and some other tribes of the Six Nations, aided by tories and other banditti, from the frontiers of New-York, New-Jersey, and Pennsylvania, the expedition meditated against them from the northward be forwarded with all possible despatch, and that the board of war take the necessary steps for that purpose:

That, in respect to the harvest, and the deplorable situation of the frontiers, in consequence of the late irruption of the enemy, col. Hartley's regiment be continued there till the retreat of the enemy be fully ascertained, the harvest secured, and the apprehensions of the inhabitants quieted.

The committee to whom was referred the sieur Gerard's intended speech at the public audience, brought in a draught of an answer, which was taken into consideration: and, after debate,

*Resolved*, That the farther consideration thereof be postponed to Monday. Adjourned to ten o'clock on Monday.

#### MONDAY, July 27, 1778.

A letter, of the 22d, from general Washington, at his camp near White-Plains, was read, enclosing copies of letters from him to the count d'Estaing, and sundry papers relating to eight persons ordered from Bennington into the enemy's lines, and a letter, of the 14th of June, from captain Caleb Gibbes:

*Ordered*, That the papers relating to the eight persons sent from Bennington, lie on the table for consideration:

That the letter from capt. Gibbes, together with so much of gen. Washington's letter, as relates thereto, be referred to the board of war.

A letter of the 22d, from major-gen. Gates, at White-Plains, was read; also, a letter of the 21st, from brigadier S. H. Parsons, directed to J. Lovell and T. Hosmer, esqrs. referred to in gen. Gates's letter, was laid before Congress and read:

*Ordered*, That the same be referred to a committee of four: the members chosen, Mr. Drayton, Mr. Harvie, Mr. Reed, and Mr. Duer.

A letter, of the 19th, from major-general Schuyler, was read, enclosing minutes of the commissioners of Indian affairs for the northern department, in the month of June last:

*Ordered*, That the same be referred to the board of war.

A letter, of the 19th, from Mr. J. Smith, at York-town, to Mr. R. Morris, respecting the situation of our prisoners in the power of the enemy, was laid before Congress, and read:

*Ordered*, That it be referred to the marine committee.

*Resolved*, That the board of war and marine committee be, and they are hereby, respectively directed to cause the land and sea prisoners in the power of these states to be forthwith treated, in all respects, as near as may be, in such manner as the American land and sea prisoners in the power of the enemy are, or shall, from time to time, be treated; provided, that nothing contained in this resolution shall be construed to extend so far as to prevent an exchange of prisoners upon fair and equitable principles,

A letter, of the 18th of April last, from J. Diau, at St. Pierre, Martinique, was read:

*Ordered*, That it be referred to the committee of commerce.

The committee on the treasury laid before Congress a deposition of Thomas Clifton, respecting col. B. Flower's accounts, which was read; and, thereupon, sundry motions being made,

*Ordered*, That the depositions, with the motions, be referred to a committee of three: the members chosen, Mr. Dana, Mr. Drayton, and Mr. Reed.

Congress proceeded to the election of inspectors of the presses for striking bills of credit, bills of exchange and loan-office certificates, and, the ballots being taken, the following gentlemen were elected: Mr. Issac Snowden, Mr. Isaac Howell, Mr. Peter Thomson, and Mr. John Biddle.

Congress proceeded to the election of a treasurer of loans, and; the ballots being taken, Mr. Francis Hopkinson was elected.

Congress being informed that there are only two members of the committee on appeals now present, and that sundry causes are now ready for trial,

*Resolved*, That three members be added to the committee for hearing and determining appeals, and that any three of the said committee be empowered to hear, and finally determine, appeals to Congress from the judgment of courts of admiralty: the members chosen, Mr. Reed, Mr. Drayton, and Mr. Boudinot.

Adjourned to nine o'clock to-morrow.

### TUESDAY, July 28, 1778.

A letter, of the 27th, from captain Manly, was read:

*Ordered*, That it be referred to the marine committee.

A memorial from capt. Josiah Stoddard, and a petition from the said capt. Stoddard and other officers of the cavalry; a letter of the 24th, from major-general Gates; one, of June 28th, from brigadier S. H. Parsons, in favor of the chevalier de la Neuville and major Noirmont de la Neuville; also a letter from the chevalier de la Neuville, were read:

*Ordered*, That the same be referred to the board of war.

The committee of commerce laid before Congress a letter of March 5th, from Stephen Sayre, at Copenhagen, and one of March 20th, from C. A. Fabritius, with a paper of intelligence, which were read:

*Ordered*, That the paper of intelligence be referred to the committee of intelligence; and that the letters be returned to the committee of commerce, and that they report thereon.

A letter, of the 27th, from col. Knoblauch, a Prussian nobleman, was read, with sundry papers enclosed:

*Ordered*, That the same be referred to a committee of three; and that they confer with col. Knoblauch: the members chosen, Mr. R. H. Lee, Mr. G. Morris, and Mr. Lovell.

A representation from John Beatty, esq. commissary-general of prisoners, was read, respecting the distressed state of the officers, prisoners in the hands of the enemy:

*Ordered*, To lie on the table.

Papers relative to the monument for the late gen. Montgomery were laid before Congress:

*Ordered*, That they be referred to the delegates of New-York.

The committee on the treasury brought in a report; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of John Gibson, esq. auditor-general, for the sum of 20,000 dollars, to enable him to discharge the residue of a warrant of the president of Congress on him, dated the 13th of September last, in favor of the continental navy board, for 50,000 dollars; the said auditor-general to be accountable.

*Ordered*, That the quarter-master general furnish the hon. the sieur Gerard, minister plenipotentiary of his most Christian majesty, with such and

so many horses and such forage as he shall direct; and that he deliver, from time to time, special accounts of the prices of the said horses and forage to the board of treasury.

A memorial from Bryan Lefferty, was read:

*Ordered*, That it be referred to the board of war.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, July 29, 1778.

A letter, from Silas Deane, esq. late commissioner at the court of France, was read:

*Ordered*, To lie on the table.

A letter, of the 8th, from B. Harrison, esq. deputy pay-master general in Virginia, was read, enclosing an abstract of his monthly account:

*Ordered*, That the same be referred to the board of treasury.

A letter, of the 25th, from Jonathan Trumbull, jun. esq. pay-master in the northern department, was read, requesting, as the northern and southern armies are joined, and for sundry reasons set forth, that Congress will be pleased to suffer him to resign his employment; Whereupon,

*Resolved*, That Jonathan Trumbull, jun. esq. pay-master in the northern department, have leave to resign his employment.

*Ordered*, That Jonathan Trumbull, jun. esq. pay over the public monies in his hands, to William Palfrey, pay-master general, taking duplicate receipts, and that he transmit one of them to the treasury board; and that Mr. Trumbull settle his accounts as soon as may be.

Two memorials from the hon. sieur Gerard were read, one respecting a deserter from the frigate *Chimere*, and the other respecting the sailing of the said frigate:

*Ordered*, That they be referred to the marine committee.

The marine committee laid before Congress two letters, one dated May 18th, the other June 1st, from John Wereat, continental agent in Georgia, complaining of the conduct of colonels White and Elbert, in the sale of three vessels captured from the enemy, and other papers relating thereto: Whereupon,

*Ordered*, That the marine committee take proper measures for referring to the governor and council of Georgia an enquiry into the conduct of colonels White and Elbert, in the complaint against them by Mr. John Wereat, to give the said colonels an opportunity of being heard in their defence; and that the result of the said enquiry be reported to Congress as soon as may be.

A petition from Hector M'Neil was read:

*Ordered*, That it be referred to the marine committee.

The board of war, to whom were referred the memorial of the chevalier de la Neuville, inspector to the northern army, and sundry letters from gen. Gates and brigadier Parsons, brought in a report, which was taken into consideration, and, after debate,

*Resolved*, That the farther consideration thereof be postponed.

The board of war farther reported,

That Mons. Noirmon de la Neuville, since the month of December, has acted as aid-de-camp to major-general Conway, and since the appointment of his brother, as inspector to the northern army, has discharged the duties of deputy inspector with uncommon assiduity and much satisfaction to the officers and men of the northern army: Whereupon,

*Resolved*, That Mons. Noirmon de la Neuville have the rank of a major by brevet in the American army.

The board farther report, that the reasons for which Mr. Bryan Lefferty was made a prisoner of war to the United States, appear to them no longer to subsist; Whereupon,



*Resolved*, That Mr. Bryan Lefferty be discharged from his parole, and that the sum allowed him by Congress heretofore for his support, be paid up to this time.

The board of war brought in another report, which was taken into consideration ; and thereupon,

*Resolved*, That if any of the states, in which capt. Bartholomew Van Herr shall recruit, for his troops of marchasseurs, shall give to persons inlisting in the same, for three years, or during the war, the bounty allowed by the state, in addition to the continental bounty, the men so furnished, not being inhabitants of any other of the United States, shall be credited to the quota of the state in which they shall be inlisted.

*Resolved*, That Caleb Gibbes, esq. now commanding the corps of guards with the grand army, be promoted to the rank of a major in the service of the United States.

Whereas Mons. Francis Joseph Smith has requested a commission to be made use of in case of his being made a prisoner while serving as a volunteer in the American army :

*Resolved*, That Mons. Francis Joseph Smith have a commission of an ensign by brevet, in the army of the United States.

*Ordered*, That Mr. Collins have leave of absence.

Adjourned to nine o'clock to-morrow.

#### THURSDAY, July 30, 1778.

A memorial from the hon. sieur Gerard was read, respecting Mr. William Straker, taken on board the English ship "The Lord Howe," and sent to Philadelphia by his excellency Mons. the count d'Estaing :

*Ordered*, That it be referred to the board of war.

*Resolved*, That the commissary-general of prisoners, be directed to engage in the continental service, all, or as many as he can, of the seamen sent from New-York by admiral Gambier, who shall appear to be effective, or likely to be soon fit for service ; and that he furnish such as will so engage, with the means of travelling to Boston, where they are to be delivered to the commissioners of the navy for the eastern district, to be shipped on board the continental vessels of war fitting out at that port :

That the said commissioners be authorized to make such advances to these seamen as is usual in the port of Boston, making reasonable deductions for the expenses to that place ; provided always, that this resolution shall not extend so as to prevent any particular state from applying in New-Jersey for such of the seamen as belong to such state.

Congress took into consideration a report from the board of treasury of the 15th day of April last, for the establishment of a new board ; and, after debate,

*Resolved*, That it be referred to a committee of five : the members chosen, Mr. G. Morris, Mr. Gerry, Mr. Witherspoon, Mr. Telfair, and Mr. R. H. Lée.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer in favor of col. E. Boudinot, late commissary-general of prisoners, for 15,000 dollars, to enable him to discharge some arrears of that department : the said col. Boudinot to be accountable.

*Resolved*, That 5,000,000 of dollars be emitted under the direction of the board of treasury, and on the faith of the United States :

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 11th day of April last, and be numbered from the last number of each denomination progressively, and consist of the following denominations, viz.



41,667 of the denomination		41,667 of the denomination	
	of 40 dollars,		of 6 dollars,
	1,666,680		250,002
41,667 do.	of 30 do.	41,666 do.	of 5 do.
	1,250,010		208,330
41,666 do.	of 20 do.	41,667 do.	of 4 do.
	833,320		166,668
41,666 do.	of 8 do.		
	333,328		
41,666 do.	of 7 do.		
	291,662		5,000,000

The committee to whom was referred the petition of Richard Marven and Samuel Shaw, brought in a report, which was taken into consideration; Whereupon,

*Resolved*, That it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge.

Whereas, a suit has been commenced by Esek Hopkins, esq. against Richard Marven and Samuel Shaw, for information and complaint by them and others made to Congress against the said Esek Hopkins, while in the service of the United States:

*Resolved*, That the reasonable expenses of defending the said suit be defrayed by the United States.

*Ordered*, That the secretary of Congress furnish the petitioners with attested copies of the records of Congress, so far as they relate to the appointment of Esek Hopkins, esq. to any command in the continental navy, and his dismissal from the same, and also to the proceedings of Congress upon the complaint of the petitioners against the said Esek Hopkins, preferred to Congress through the marine committee, as mentioned in their petition.

*Resolved*, That Thursday next be assigned for giving audience to the hon. sieur Gerard, minister plenipotentiary from his most Christian majesty.

Congress proceeded to the election of two members to wait upon the hon. sieur Gerard, and conduct him to the audience: the members chosen, Mr. R. H. Lee, and Mr. S. Adams.

Adjourned to nine o'clock to-morrow.

#### FRIDAY, July 31, 1778.

*Resolved*, That a committee of three be appointed to direct and superintend an entertainment to be given by Congress to the hon. sieur Gerard, minister plenipotentiary from his most Christian majesty, on Thursday next, the day assigned for his public audience: the members chosen, Mr. Reed, Mr. Dana, and Mr. G. Morris.

A letter, of the 23d, from J. Wadsworth, commissary-general of purchases, directed to E. Blaine, esq. one of his deputies, was laid before Congress, and read:

*Ordered*, That it be referred to a committee of three: the members chosen, Mr. G. Morris, Mr. R. Morris and Mr. Holten.

A letter, of the 30th, from the board of war, with one enclosed from J. Beatty, esq. commissary of prisoners, dated July 24th, was read:

*Ordered*, That the same be referred to the board of treasury.

*Resolved*, That Mr. Duer, agreeably to his request, be excused from attending the committee appointed on the 23d instant, to ascertain the property of the goods, wares and merchandise in possession of the inhabitants of the city of Philadelphia at the time it was evacuated by the enemy, to wit, so far as to determine whether any, or what part thereof may belong to the king of Great-Britain or to any of his subjects, agreeably to the resolution of the 4th of June last, and for other purposes; and that another be appointed in his room: the member chosen, Mr. Marchant.

An extract from the minutes of the supreme executive council of Pennsylvania, was laid before Congress, appointing the hon. vice-president, Mr.

Hart, Mr. Reed and Mr. Hoge, a committee to meet with the committee of Congress of the 23d of July, mentioned in the foregoing resolution :

*Ordered*, That it be referred to the said committee.

A memorial from J. Mitchell, esq. deputy quarter-master general, was read:

*Ordered*, That it be referred to the foregoing committee.

A memorial and account of colonel M. Swoope,

A petition from Mons. Pierre Saverit,

A petition from William Cooper, and a petition from Charles Berge, printer, were read :

*Ordered*, That they be referred to the board of war.

A memorial from Wm. Storey, clerk of the navy board, in the eastern department, was read :

*Ordered*, That it be referred to the marine committee.

The committee on the treasury brought in a report ; Whereupon,

*Ordered*, That a warrant issue on the treasurer for 3200 dollars, in favor of Paul Feager, it being an advance made him on account of making money paper.

*Resolved*, That Mr. Benjamin Randolph, of the city of Philadelphia, be, and he is hereby appointed, to superintend the making of paper for loan-office certificates and bills of exchange.

Congress resumed the consideration of the report of the committee to whom the petition from the prisoners of war on Long-Island was referred ; Whereupon,

*Resolved*, That the commissioners of claims be directed to examine the estimate of the accounts due for clothing and board for our prisoners of war in the hands of the enemy.

*Resolved*, That a sum of money in specie, not exceeding 26,666 2-3d dollars, be issued to Elias Boudinot, esq. late commissary-general of prisoners, for the discharge of such accounts, for which he is to be accountable.

The yeas and nays being required by Mr. Chase, on the question for passing this part of the report :

<i>New-Hampshire</i> , Mr. Bartlett,	no	no	<i>Pennsylvania</i> , Mr. Reed,	ay	ay
<i>Massa'sts-Bay</i> , Mr. S. Adams,	no	no	<i>Maryland</i> , Mr. Chase,	ay	ay
Dana,	no		Plater,	ay	
Lovell,	no		Forbes,	ay	
Holten,	no		Mr. Penn,	ay	ay
<i>Rhode-Island</i> , Mr. Marchant,	no	no	<i>N.-Carolina</i> , Mr. Laurens,	ay	ay
<i>Connecticut</i> , Mr. Sherman,	no	no	<i>S.-Carolina</i> , Drayton,	ay	
Hosmer,	no		Matthews,	ay	
A. Adams,	no		Heyward,	ay	
<i>New-York</i> , Mr. Lewis,	no	div.	<i>Georgia</i> , Mr. Walton,	ay	ay
Duer,	ay		Telfair,	ay	
<i>New-Jersey</i> , Mr. Scudder,	ay	ay			
Boudinot, excused.					

So it was resolved in the affirmative.

Adjourned to nine o'clock to-morrow.



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